

Legislative Assembly

Thursday, the 15th November, 1979

The **SPEAKER** (Mr Thompson) took the Chair at 2.15 p.m., and read prayers.

INDUSTRIAL ARBITRATION BILL

As to Third Reading: Statement by Speaker

THE SPEAKER (Mr Thompson): It has come to my knowledge that the *Hansard* report covering yesterday's proceedings on the Industrial Arbitration Bill indicates that, at the stage where leave was being sought to proceed to the third reading of the Bill, a member—the member for Swan—is reported as saying “No” to my question: “Is leave granted?”

I simply and positively tell the House that I did not hear the word, if it was said. I make that explanation, not because I think any member of the House would subscribe to any other view, but because I feel that the records should be clear on the subject.

If the member reported as saying the word felt that he had been wronged I have not the slightest doubt that he would have taken the course which he knows to be most appropriate and raised a point of order.

Since the word was not heard by me—and that is the basic requirement—and since no point of order was raised, I am quite satisfied that the proceedings of the House in respect of that matter were duly and properly followed.

TRANSPORT COMMISSION ACT AMENDMENT BILL (No. 2)

Introduction and First Reading

Bill introduced, on motion by Mr Rushton (Minister for Transport), and read a first time.

LEAVE OF ABSENCE

On motion by Mr Bateman, leave of absence for 10 days granted to Mr Taylor (Cockburn) on the ground of urgent public business.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Labour and Industry) [2.21 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to facilitate arrangements for the completion of part-heard cases by the Workers' Compensation Board upon the impending retirement of the chairman (Judge Mews).

The chairman earlier indicated his desire to retire soon after the end of 1979. However, as his term of office—and that of the other two nominee members on the board—expires on the 19th April, 1980, the chairman is prepared to remain in office until that date. It is on that date therefore that transitional difficulties will occur.

Because of the frequent absences from the State of medical witnesses, the board has at all times an outstanding list of part-heard cases which number between 40 and 50 and the chairman can see no way of easing the position.

On retirement of the board all those matters would need to be recommenced which would entail considerable delay and expense for the parties involved.

The chairman has discussed the matter with legal officers in the Crown Law Department, and, as a result, it is considered that an amendment to the Act is desirable to allow for the present board members to continue in office after retirement for the purpose of completing matters commenced by them during their terms of office and making determinations and orders.

The extension in this manner would be for that sole purpose only and for no other reason.

It is, therefore, of considerable importance to make suitable provision to cover the situation outlined, and for that reason I commend the Bill to the House.

Debate adjourned, on motion by Mr Skidmore.

ESPERANCE PORT AUTHORITY LANDS BILL

Second Reading

Debate resumed from the 23rd October.

MR McIVER (Avon) [2.23 p.m.]: I indicate to the Minister at the outset that the Opposition has no quarrel with the measure before us. However, I would like to make a few comments.

It is encouraging to know that the Esperance Port Authority is on the move and that that part of our State is progressing. It is unfortunate that the authority was not aware it did not have the power to dispose of the land in question. However, in its favour, it is pleasing to see that good use was made of the soil dredged from the harbour and that housing development is now taking place there.

The Opposition is concerned about the provision in paragraph (b) of subclause (3) of clause 4 which reads as follows—

whether the land shall be sold at public auction or by public tender;

Personally, I would rather that the land were sold by auction than by tender because in my opinion disposal of land by public tender is likely to attract speculators.

As in the case of conditional purchase blocks, I believe a time limit should be set in regard to its development. This would avoid speculation.

Another point was not made quite clear in the Minister's second reading speech. Is it a fact that when this Bill is proclaimed any port authority—whether at Esperance or anywhere else—will be able to dispose of any land it does not require, with the Minister's approval? Perhaps the Minister will answer my query by way of interjection.

Mr Rushton: This Bill is only to validate the present situation. We are undertaking a full review of port authority legislation and the regulations.

Mr McIVER: I appreciate that point, but I am asking whether the authority will be able to dispose of any land when this Bill is proclaimed.

Mr Rushton: No, it relates to the land in question.

Mr McIVER: In other words, it validates the disposal of the land?

Mr Rushton: Yes, the money from this land can be paid into the account, but that is the end of it.

Mr McIVER: The Opposition supports the measure, except that we would rather the land were sold by auction.

MR GREWAR (Roe) [2.28 p.m.]: I am pleased the Opposition supports this measure which is very necessary for the operations of the Esperance Port Authority to overcome some confusion existing in the Esperance Port Authority Act. Section 6 of that Act indicates to a layman, and it indicated to the port authority, that the authority could acquire, hold, or dispose of land, or real or personal property.

The authority believed this provision gave it the right to trade in land. However, the Crown Law Department did not concur in this opinion and therefore, the Bill before us was introduced to correct the anomaly and to allow the Esperance Port Authority to trade in the land in question.

The authority has jurisdiction over 110 acres or thereabouts. With the developments in hand or

projected for the future, this is sufficient to cater for its expansion. If more land is required in the future in or near the port area, possibly this could be provided by land reclaimed from the sea.

The land in question had little value to the Esperance Port Authority before it was reclaimed. Originally the 1.62 hectares was part of the total holding of 15 hectares and divided by Harbour Road and the railway line. The land was not of great use in its natural state for building purposes because of its unsuitable topography.

The dredging programme carried out in the Esperance Harbour created the problem of spoil disposal, and this block was an ideal place to dispose of that spoil. Now, this land has been built up and is prime residential land which the port authority believes it has a right to subdivide and sell.

The sale of this land—16 blocks in all—represents a good, sound business venture. It will cover the cost to the authority of dredging and transporting spoil from the harbour, money which would otherwise have to come from revenue sources.

I support the Bill.

MR JAMIESON (Welshpool) [2.30 p.m.]: The Esperance Port Authority is one of many authorities created over the last several decades. I have been very impressed with the energy displayed by this authority. When I was Minister in charge of port authorities, I had a good deal of association with the Esperance Port Authority, and it always seemed to be quite alive and active in its affairs and in its endeavours to get the port operating on a suitable basis.

Initially, of course, it was sold a pup in relation to the amount of throughput it could expect under its jurisdiction. To a great extent, this was due to the miscalculation of the Brand Government of the day. At that time, a lot of salt and concentrates were moving out of the area and it was believed certain commitments could be met over a considerable period by the facility.

However, the situation now is quite different; only a small amount of nickel concentrate and very little salt is exported from the area. The port also receives a quantity of oil. However, the throughput has never justified the expenditure on such a facility; it has not been the business undertaking originally envisaged. Many of these facilities have been established at tremendous expense, due to the type of water action in the area, and the need for breakwaters to protect the harbour. So, the Esperance Port Authority has not had a happy financial life since its inception.

It is good to see the authority has gone outside its normal operating ambit in an endeavour to help itself. In fact, its action probably was a good bit of socialist activity, in that the authority purchased a piece of land, filled it and then made application to sell it for its own purposes. This will enable the authority to offset the expenses of dredging.

The Minister in his interjection told us more than he did in the four or five paragraphs of his second reading speech about what is intended at the Port of Esperance. After reading his second reading speech one would have no knowledge the Government regarded this as only an interim measure prior to a major review of port authorities legislation and a clarification of their powers in regard to the purchase and disposal of land.

It is advisable that, wherever possible, port authorities should purchase low-lying land in the vicinity of the port because, eventually, there comes a time when an area of the harbour must be dredged, and one of the great problems of any dredging operation is the disposal of spoil. In this case, the spoil has been put to good use and has improved low-lying land to the stage where it is now suitable for subdivision as residential land, thus enabling the authority to recoup some of the expenses incurred in the dredging programme.

I believe this to be a sound move on the part of the Esperance Port Authority. It is looking after itself in a way which the Minister should not seek to curtail. I was a little worried by his interjection that he might be prepared to tighten up the provisions so that port authorities have limited powers in this area in the future—even though, obviously, they did not legally have that authority in the past.

It is advisable to leave port authorities with a fairly open right to acquire land, not only for their own purposes of expansion, with the construction of warehouses, buildings and the like—we have the example of Albany, and other ports—but also to improve harbours and dispose of spoil. This is part and parcel of the activities of port authorities; they are responsible authorities and should be given as much scope as possible.

So, until the finite amendments to the legislation come before the House, the only provision we are considering is one to validate the actions of the Esperance Port Authority.

Before I conclude, I wish to pay tribute to the Esperance Port Authority; it has been a very active authority which has tried very hard to do the right thing by the people of this State. It has tried not to be a heavy financial encumbrance

upon Consolidated Revenue, and has not rushed off to the Minister for financial assistance when things got tight. It has done its best to develop its own area. I am sure its efforts will be to the benefit of the local authority of the district and to the surrounding area generally. The local authority will benefit from the additional rates generated by the sale of 16 prime residential blocks.

I support the Bill, and I hope port authorities will not be curtailed in their activities in the future, but will be encouraged to go even further than they have done in the past.

MR RUSHTON (Dale—Minister for Transport) [2.36 p.m.]: I appreciate the remarks of the member for Avon, the member for Roe, and the member for Welshpool. I, too, give the Esperance Port Authority great credit for its capacity and the enthusiasm it has shown for its task.

This measure will validate actions dating back to 1970; not very much more needs to be said about that except that it was thought the authority for the actions already existed.

The Esperance Port Authority has faith in its future, faith in the district, and, indeed, faith in the entire region. We are all looking forward to the authority developing, which will reflect the development of the whole hinterland. I am confident—as no doubt are members representing the district—that the port authority will continue to be successful in its endeavours.

For the benefit of members, I will elaborate briefly on the intention of the Government. I undertook to respond to requests by other port authorities regarding their regulations; it was at this stage the Government determined there was a need for a full review.

I assure the member for Welshpool it is not my intention to hinder the development of these port authorities. We need to encourage them; they need maximum autonomy to operate successfully. Regional port authorities represent local people, applying themselves in the interests of the local area as a whole. For that reason, the Government intends to bring forward as soon as possible a rewrite of the legislation.

I take very seriously the comments of the member for Avon; the Government will have regard for his comments as the port authority progresses to the next step. Every circumstance is a little different, and we cannot tie ourselves down to one way of doing things. That is why the legislation provides a slight tolerance, in that matters are still subject to ministerial approval; the Government will overview the situation.

I thank members for their support. We all agree the Esperance Port Authority is doing something which needs to be done.

Question put and passed.

Bill read a second time.

• *In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Rushton (Minister for Transport), and transmitted to the Council.

HEALTH ACT AMENDMENT BILL

Second Reading

Debate resumed from the 23rd October.

MR H. D. EVANS (Warren) [2.43 p.m.]: This Bill rectifies an existing situation. However, it makes no attempt to come to grips with the major problem, the essential problem, which confronts the meat industry in this State; that is, the role of dual inspections, about which some reference should be made during the course of this debate. Some questions should be answered as far as the intention of the Government is concerned.

With respect to dual inspections, the genesis of this Bill goes back to November, 1978, when a High Court writ was issued against the Minister for Health, the Commissioner of Health, and six local government authorities in whose areas the eight meatworks which participated in the issuing of the writ were located. The meatworks' claim was that fees being charged under the present regulations were contrary to the Commonwealth Constitution. The plaintiffs used the argument that fees imposed were not fees for services but an excise duty and the prerogative of imposing an excise duty lay exclusively with the Commonwealth Government.

The States are the defendants at this stage and to that extent I suppose the matter is *sub judice*. The Minister made reference to this fact and indicated the area of *sub judice* would not be affected and fees paid during this period will not be involved. It is the future situation which needs rectification.

It would appear that particularly close scrutiny—much closer than would normally be the case—has shown the need for improving the

powers for making regulations, the need to legislate to overcome some doubts which exist currently within the present legislation, and the need to ensure that parts of existing regulations are completely valid within the terms of the Act.

The first section to be amended relates to the present regulations on inspections, branding, and the making of powers. The present section is to be replaced with a new section which sets out in greater detail what these regulations may cover. So to this extent they will be completely unambiguous and there will be no doubts as to what can be allowed.

A further section defines the purpose of the inspection fee authorised in the meat inspection and branding regulations and authorises the State Treasury and local governments to create a special account to which all fees collected are credited and from which all expenses of meat inspection—all costs—are paid. This is to ensure fees are used for the specified purpose and for nothing else. It is a safeguard which is necessary and one against which no-one would raise objection.

The second aspect of the Bill is to overcome doubts as to whether parts of the existing regulations have in the past been authorised by the Act. These doubts can be resolved only by the validation process for which this Bill provides. Also, the opportunity is being sought to rectify the situation where, in the past, certain persons who have inspected meat were not authorised to do so.

I feel there should be some qualification as to the category which is involved in this unauthorised or questionable inspection. This section also provides for the validation of the continuation of fees incurred by such persons inspecting meat.

That is something I feel is necessary; but that particular class of person and the extent to which these people have carried out inspections need amplification. It must be shown whether this practice should continue in future. Perhaps the Minister would enlighten the House in that regard.

As I said initially, there is no attempt to resolve the dual inspection situation which has plagued the meat industry in Australia for a great number of years. At the present time something like 80 per cent of Australia's total kill of meat is handled by abattoirs licensed for export and about half this meat finds its way onto the domestic market. Hence, a lot of meat inspection is being duplicated and this is an added cost to someone. That someone is inevitably the producer—and, I suspect, the consumer, too.

Recently a report was brought down, although it was not official in the understanding we would accept. It was a report by a former member of the House of Representatives (Mr Bert Kelly) who is also a newspaper columnist with the rural Press. As a consequence, this man has some considerable experience. In his report he drew attention in a rather scathing way to a number of anomalies and undesirable practices which exist in the meat inspection services of this country at the present time.

Some of his comments referred to corruption under the dual Federal-State inspections; the rubber stamp interstate inspection; and the value of the existing provisions for disease control and eradication. There has been a rather salutary lesson in that regard in Tasmania in recent times. It is only a matter of time before one of the exotic diseases finds its way onto the Australian mainland and when it does, the cost will be alarming. The potential for this was revealed when there was an outbreak of disease in Tasmania a few weeks ago.

The comments of Mr Kelly include the fact that the industry is too costly, it duplicates services, it is open to industrial strife, it is largely inefficient and leaves holes in the disease programme. The matters he raised should be given serious consideration. The meat industry in Australia is a multi-million dollar industry and a major export earner. It is one in which no unnecessary risks should be taken. There are many unavoidable risks at the present time, but as I have said, the inevitable "one day" will surely occur.

To highlight his point, Mr Kelly made an example of the meatworks in Casino in northern New South Wales. I would like to give an indication of the figures included in his example to show the complexity of this matter as well as the cost entailed. Mr Kelly stated that in Casino in northern New South Wales the works must pay \$1.80 a head cattle inspection fee to the Federal Government and \$2.20 a head State fee; a total of \$4. If the carcase goes across the border into Queensland a further \$1.06 must be paid as a State inspection fee. This is frequently an inspection in name only; it is purely a rubber stamp. It appears the cost in this case is a matter of \$5.06. The situation is further exacerbated by the rates which are levied on the various animals, and so the picture starts to unfold.

I will not go into the detail of the weight at inspection but it increases the cost to the industry and that of course means everyone in this country.

For the pig producers the system is especially repugnant. Most of the animals are slaughtered at export works yet less than 2 per cent of pig carcasses are exported from Australia. There is a 60c per carcase fee and the relevant State fee to be borne by the pig producer for which, of course, there is no possible chance of getting any export services.

This is the type of situation which I could cite at great length and this situation needs to be looked at closely as far as inspection is concerned. Within the meatworks there are the industrial problems and problems of association that have come about where there are two sets of inspectors working side by side. They have to be provided with different facilities and different rooms for changing, and as a consequence that again involves additional cost.

This is a problem that has occurred and will occur between these two sets of men and the vested interests that we find with the producers, with the processors and the industrial organisations. Of course the State Public Health Department would not wish to see its own empire eroded. The problem has to be tackled, despite its magnitude.

As far as the present Bill is concerned, the attitude of the producers is that it will do no more than administer the charges relating to dual inspection. Again, there is the question of whether the total cost for a general service to the community should be borne by one section, be it the producer, the processor, or the exporter. So, the question arises as to whether the total coverage of inspection fees should be borne by a section of the industry.

This Bill will certainly ensure the costs are met by the fees which are charged and certainly where it has not been done, it will be done in the future. The starting point of the problem surely must come back to the economics of the situation. In other words, have the sums been done to give some basis of consideration? Perhaps three questions might be pertinent and also rather illuminating in the Western Australian situation. I would like to ask the Minister: Firstly, what is the cost to the Western Australian State Government of the meat inspection—that is, on a State level; secondly, what is the cost to the Federal Government of the inspections that are carried out in this State; and thirdly, what would be the anticipated cost of meat inspection if there were a single incorporated inspection system?

Without knowing those figures it would be difficult to proceed with any considered argument, any considered proposal, or any

specific suggestion as to how this situation ought to be rectified. However, the problem is there and it is a multi-million dollar one. It is one which touches one of the major exporting industries of this country. It has many facets, including that of disease control which cannot be disregarded.

I am aware also of the disagreement within the various sections of the industry and naturally enough, both producers and processors are adamant that meat inspections should be funded from Consolidated Revenue. How far that can be done has to be looked at more closely. The starting point lies with the three questions I have asked; namely, the cost of meat inspection to the State Government, the cost of meat inspection to the Federal Government for any inspections carried out in this State, and the probable cost of meat inspections under a single incorporated authority.

I make the point that this particular piece of legislation is one that rectifies an existing situation and is to ensure that the problems which have occurred from the issuing of these rights are not compounded. I do not think anyone in this State could disagree with bringing in this legislation which will at least give a little breathing time for further consideration and a change in the protection of the meat industry if need be. It will also implement some improved overall organisation to a very confused, unwieldy and costly industry facility which is long overdue for rectification.

MR YOUNG (Scarborough—Minister for Health) [3.00 p.m.]: I appreciate the general acceptance of the fact that the Bill is one which of necessity clarifies the law. It is not really a Bill which deals with the intricate matters of abattoir facilities and meat inspection which were alluded to by the member for Warren. It is a Bill which clarifies the law and raises the questions whether the State should have the right to impose certain conditions and whether actions taken in the past were valid.

Mr H. D. Evans: It leads to the question of the whole situation.

Mr YOUNG: I accept that the member for Warren is pointing out the problems associated with dual inspection, particularly of meat at export abattoirs, and I will touch on that in a moment. But basically the Bill is intended specifically to amend the law to clarify the situation in regard to the validity of actions taken in the past by the Government and local authorities in respect of charging fees for meat inspection, and in regard to whether certain

persons have the right to make those inspections. The Opposition apparently accepts the principle relating to all the matters in the Bill itself.

Mr H. D. Evans: I would like clarification as to who the unauthorised inspectors were and the extent to which they inspected meat in that unauthorised capacity.

Mr YOUNG: I can say only that in the course of examining the Health Act at the time the writs—which are the subject of action in the High Court of Australia—were issued, some doubt was raised as to whether certain meat inspectors had proper authority under the Act to carry out inspections.

I also make it clear that the Bill in no way affects the actions before the High Court in respect of the matters raised by the plaintiffs, which are basically constitutional matters and which in any event probably could not be altered by our legislation. I make it clear to the House and to the public that in no way does this Bill attempt to affect the action being taken by the eight litigants in the High Court of Australia. However, during the course of examining the case which was put, the advisers to the Crown made the point that there may be some doubt whether certain meat inspectors in fact had the authority to inspect meat under the Act. It is not for me to say whether they did or did not and who they were.

Mr H. D. Evans: It is for you to say who they were.

Mr YOUNG: They would have been meat inspectors authorised and licensed by the Commonwealth or the Public Health Department and acting on behalf of either the Public Health Department or a local authority in the course of their duties as meat inspectors. The real question under this Bill is not whether those inspectors had the power to act as they did; it is whether the Opposition accepts the fact that there was some doubt whether they had the power, and whether their actions should now be validated so that the public purse can be protected against actions which might have been taken by people who acted in good faith and who acted responsibly under the Health Act.

I think the member for Warren generally accepted the fact that it was proper for the State to act to protect the revenue of the State in respect of past actions, and I think it is proper for me again to make the point that any action taken under this legislation to validate those actions does not affect any action currently being taken by the plaintiffs in the High Court.

If there is some doubt whether those persons were authorised or whether the fees were raised

only against costs, the matter should be clarified for the future; and I think the Opposition has accepted the fact that that is a valid matter to put before the House.

The member for Warren raised a number of questions in respect of dual inspection of meat, which is not the subject of this Bill, and I do not want to deal with that matter in detail except to make a couple of observations. Firstly, the honourable member asked whether I could tell the House what costs were involved by Western Australia in regard to meat inspection carried out by meat inspectors in Western Australia—I take it he was referring to meat for local consumption or meat at export abattoirs which was not connected with export.

Mr H. D. Evans: The total cost.

Mr YOUNG: Secondly, the honourable member asked what costs were incurred by the Commonwealth in connection with inspection of meat for export; and thirdly what costs might be incurred if there were an integrated system. This being the first time the question has been raised with me by the honourable member, obviously I cannot give those figures; but I can say I will have the figures made available to the member for Warren. I point out to him that they do not affect the passage of this Bill or the spirit of the Bill. They certainly may be relevant to the dual inspection of meat at export abattoirs, and I accept that they would be interesting to him and pertinent to the questions he raised. I shall be happy to provide that information for him. The whole matter of dual inspection and export arrangements is a very vexed one, as the member for Warren probably knows better than I do, but it is not affected by anything contained in this Bill.

I make the observation that regardless of who inspects the meat at export abattoirs, much of that meat is consumed on the local market. Therefore, the responsibility for that inspection and ensuring proper preparation and good quality of the meat falls back on the commissioner and the Minister for Health.

Mr H. D. Evans: The actual cost is the subject of this Bill.

Mr YOUNG: I am not denying that in the context of the honourable member's comments he could raise the question of costs, but I pointed out to him that he had ample opportunity to ask me a question about such a complicated matter and he did not avail himself of that opportunity.

Mr H. D. Evans: You should be able to tell this House now what the costs are because that is what the litigation is about.

Mr YOUNG: The member for Warren asked me three questions, and I will repeat them for the benefit of the House. The first question was: What is the cost to the Western Australian Government of meat inspection at all abattoirs in the State? The second was: What is the cost to the Commonwealth in respect of its activities in meat inspection? The third was: What is the likely cost of an integrated system of inspection to overcome the problems of dual inspection? The member for Warren says I should be able to tell the House what those costs are.

Mr H. D. Evans: You are suggesting the costs are not relevant to this Bill.

Mr YOUNG: I am suggesting that no-one in this Chamber would expect me, without prior notice, to be able to give those costs.

Mr H. D. Evans: I accept that.

Mr YOUNG: I have said I will be happy to supply the figures to the member for Warren in respect of the dual inspection situation. However, the principle of the Bill concerns the ratifying and validating of past actions to ensure that any questions of a constitutional nature which may arise are clarified.

I was making a point in regard to the responsibility for the quality of meat consumed in this State, which is one of the questions which arises out of the dual inspection system. I was saying that a great percentage of meat slaughtered at export abattoirs is consumed locally. I take the point of the member for Warren that, especially in respect of pig meat, a large proportion of meat which is slaughtered at export abattoirs is consumed on the local market, and only a small proportion is exported. Therefore, people are in fact paying both a State and a Commonwealth fee for the inspection of that meat. That situation is something this State is considering currently, in conjunction with the Commonwealth Government.

Only as recently as this morning I had contact with the committee headed by Mr Kelly in respect of that very matter. However, in the final analysis the responsibility for the quality of meat slaughtered at either export or local abattoirs for the consumption by the people of Western Australia falls on the shoulders of the Commissioner of Public Health and, ultimately, the Minister for Health. Therefore, the State must at all times be vitally interested in the inspection of meat.

Mr H. D. Evans: And the cost.

Mr YOUNG: I accept that. I am sure the Government is as interested in the cost as the member for Warren, because the Government

must maintain the Treasury. However, we must ensure the State is 'totally involved in the inspection of meat in export and local abattoirs, because obviously it is not feasible to define literally an export abattoir and a local abattoir. Therefore, if meat is to be slaughtered at an export abattoir and consumed on the local market, the people appointed as representatives of the Public Health Department of the State must be vitally interested in that situation. As far as I am concerned any system which is introduced to replace that system must be heavily State-oriented. That is part of the attitude of the State Government in respect of the suggestion made by the Commonwealth; in other words, the responsibility for the quality of meat does not stop at the inspection of meat in the abattoirs, because eventually the consumer must be protected by the State Public Health Department.

Therefore, it is necessary for the Government to take a great interest in the matter and, for that reason, costs are important to the Government. In addition, the Government must be vitally interested in whether the system is working properly, in our case to protect the citizens of Western Australia who ultimately consume the meat.

However, I am putting to the House the proposition that that is not a matter in the Bill. I understand the problems raised by the member for Warren, and they are problems in which the State is particularly interested. However, the Bill is concerned purely with the validation of actions taken in the past, and it is designed to protect the revenue of the State in respect of those actions which were taken in good faith, and in respect of the appointments of meat inspectors which were made in good faith and were presumed to be valid.

I understand from what the member for Warren had to say that the Opposition has no objection to the spirit of the Bill. In that case, I will advise him in due course of the other matters he raised.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr Young (Minister for Health) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Sections 240B and 240C added—

Mr H. D. EVANS: I wish to respond to the remarks of the Minister. He is correct when he

assumes the Opposition raises no objection to the intention of the Bill to validate certain actions. However, the Opposition feels it should know precisely to what extent the problem has occurred in the past. That is not unreasonable, because we do not ask someone to write a blank cheque. I do not think it is untoward to expect that we be given an indication of the cost likely to be incurred by the State.

This brings me to the crux of the matter: The overall cost of the inspection of meat and the attendant ramifications in respect of disease control. The latter is not a matter of the quality of meat, but it involves protection against exotic diseases and various other matters. Although these are secondary matters, they are of great importance in an export industry of this nature.

At the same time, in respect of validating the actions of questionably authorised inspectors, it is not a case of the Opposition making direct objection to that; we simply want to know to what extent the practice has occurred before we agree to the validation. I appreciate the fact that the Minister has indicated he is prepared to advise me of the extent of the problem.

Mr YOUNG: I take the member's point. It is only fair to say that for some time services were rendered in some shires by personnel who, it would appear, were not gazetted as authorised inspectors. They were not necessarily State inspectors, I might add. In other words, inspection might have been made by a Commonwealth inspector; and I do not know whether that person's qualifications or registration were valid in Western Australia. That is the basis for the reference made to inspectors of meat.

As far as the financial aspects of the matter are concerned, I appreciate the final suggestion of the member for Warren. If he places a question on the notice paper, I will try to answer him.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Young (Minister for Health), and transmitted to the Council.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

STATE FORESTS: REVOCATION OF DEDICATION

Council's Resolution: Motion to Concur

Debate resumed, from the 7th November, on the following motion by Mrs Craig (Minister for Local Government)—

That the proposal for the partial revocation of State Forests Nos. 4, 27, 28, and 70, referred to in Message No. 87 from the Legislative Council and laid on the table of the Legislative Assembly on the 24th October, 1979, be carried out.

MR H. D. EVANS (Warren) [3.23 p.m.]: The revocation of dedication of State forests is necessary whenever some adjustment to State forests is made. The requirement of the Act is that a revocation must have the concurrence of both Houses of this Parliament.

In the matter before the House we find there are five separate actions contemplated. In the main, there does not seem to be any problem; but in one aspect there is a paucity of information which makes it difficult, and which could lead to fairly wide questioning and searching. This is a matter that needs to be raised.

This would be the first occasion in many years when there has been a net loss to State forests in the revocation motion. As a matter of fact, I am hard pressed to discover when such a situation occurred previously. Largely this is due to item No. 5, which involves a fairly extensive area.

As the Minister explained, the first matter involves an area of 12.8 hectares. This is a question of regularising the existing situation because that land has been put to the use for which it was intended. I do not know whether this is a good practice, or who may be at fault, and precisely when the action was taken. It would probably go back over quite a period. Overall, it is undesirable to use an area without its classification being regularised in the first place. The situation is that it must be regularised now; and the Opposition has no argument against that.

The second proposal involves an area of 5.7 hectares, and it is to be reserved for the extension of the Collie railway yards. If the expectations of

the member for Collie are to be realised, that area will be required.

The third and fourth areas mentioned in the motion involve the exchange of equal areas of land for areas of State forests. The maps provided show great detail; but unless a member has knowledge of a particular area or has access to a plan that gives better perspective, it is difficult to gain the full implications of the transaction, especially when the exchanges are made in different districts.

In the case of area No. 3, the land is 81 hectares in extent. The exchange appears to be of advantage to the landholder and to the Forests Department. Generally, that would be the basis on which the Forests Department moves traditionally. If an exchange is not to the favour of the department, it would be loath to go along with it. I cannot recall any instance in which the Forests Department has erred in favour of a person with whom it is exchanging. Inevitably, it is the other way about.

The same applies to area No. 4, which is of 127.9 hectares, to the west of the Kirup townsite. As this is in the proximity of a pine planting area being used by the Forests Department, the desire of the department to make this exchange is understandable. The management, planning, and development envisaged by the Forests Department will be facilitated by the exchange.

The fifth area is one of 538 hectares. We are talking now of something in excess of 1 000 acres. That is situated about 16 kilometres south-east from Rockingham townsite. I asked several questions to discover what was entailed in this exchange. The area at Woodman Point, which is currently the site of an explosives magazine, is to be relinquished and, the area referred to in this motion is to be made available for its relocation.

The area of 81 hectares at Woodman Point is under the control of the Mines Department, and it will be made available for recreational purposes, I understand; although this is one area about which the Minister should be good enough to give further detail.

The future use to which the Woodman Point area shall be put needs to be explained, as does the situation in regard to the State forest. It is true the forest is of poor quality and a large section of it has been planted in pines. That is quite reasonable; but if it is only a one-stand plantation, it means that in 40 or 60 years' time we shall have to reassess the use to which the land shall be put. The need for siting the magazine in that area has not been explained fully.

There is a magazine site at Byford and there is one at Spring Hill also which the member for Avon would like to see become operational again now that the Commonwealth has vacated it. I do not know whether there is any good reason that the existing magazine sites could not have been used so that an area of State forest in excess of 1 000 acres would not have needed to be annexed. This is part and parcel of my initial criticism in regard to the information supplied on this occasion. It is inadequate and the Opposition, and the people of this State, cannot make a meaningful judgment.

It is true we have to depend on the assessment of the Civil Service in many instances. It would be too much to expect members of Parliament to carry out personal inspections of some of the more remote reserves or State forests to see the area at first hand and obtain a personal appreciation of what is implied on the printed statement which is before the House.

It is, therefore, incumbent on Ministers and the Government to provide full details of the implications of any exchange or any measure which comes before the Parliament, because it is only in that way that the community, through the Press, can determine exactly the action which has been taken and make an assessment in that regard.

For that reason, the fifth clause of the revocation motion is open to question. It would be difficult to expect the Opposition to agree to it entirely without knowing a little more about it. Firstly, we would like to know why it is necessary for such a large area of State forest—even though it is largely planted in young trees at the present time—to be involved; secondly, we would like to know why the existing magazines cannot be used so that it would not be necessary to establish another one; and, thirdly, there is the question of the use of the land at Woodman Point for which this exchange was initiated. The Opposition can quite properly ask the Government to explain these matters before it accepts what is implied in the clause to which I have referred.

MR SKIDMORE (Swan) [3.34 p.m.]: This motion seeks to legalise actions which have been taken in the past by people who have developed areas of land without firstly obtaining the permission of Parliament. This practice should cease. I see no reason for it and I shall make only fleeting reference to it, because the member for Warren has covered it quite adequately.

I am concerned about area No. 5 which has been dealt with also by the member for Warren. I believe it is time we stopped removing forest areas

from use by the general public, because they will be needed for recreational purposes in the near future. In the case of the area we are referring to, it could easily be developed for residential purposes in the future. Therefore, I cannot agree that a possible residential area should have a magazine comprising approximately 80 hectares in the middle of it. I am assuming the buffer zone around the magazine will be milled, and it appears that this will occur, because it has been set down for a one o'clock rotation which means a number of stumps will be left and people will want to do something about that piece of forest.

We on this side of the House see a great need for recreational areas within easy access of the metropolitan area. Such recreational facilities will be required in the very near future and possibly before the rotational crop to which I have referred is ready for milling, or has reached maturity. People will be saying, "Where can we go for recreational purposes?" There are no such areas along the coast and the use of a great deal of land around Cockburn Sound has been denied to the people. The area of forest with which we are dealing at the moment could be opened up for recreational use by the people.

I do not believe it is necessary to annex 80 hectares of land so that it can be used for purposes connected with explosives. We do not know whether explosives will be stored there or whether this area is being set aside to replace a similar area which exists at Woodman Point. As I understand it, explosives were stored at the site at Woodman Point, because ready access was available to the seafront. Ships carrying bulk explosive cargo could tie up to the wharf at Woodman Point and unload their cargo without any problems.

However, such a reason cannot be advanced for the 80 hectares of land which are being annexed in this case, because they are not situated in a coastal area and easy access to the sea is not available.

One can then ask why it should be necessary to locate such an area, which will be used for explosive purposes, at this particular point. Surely, as has been suggested, it could be located in the Spring Hill area where there is already a magazine owned by the Commonwealth. I believe if that magazine has not closed down yet it is in the process of being closed down and will result in the dismissal of approximately 20 or 30 workers.

The point has been made also that the magazine in the Byford area could be used so that it would not be necessary to annex the 80 acres set out in the motion. Of course, it would be

necessary to co-operate with the Commonwealth Government in regard to the areas I have mentioned; but that should not present any problem. I do, however, see a number of problems arising from a magazine being situated in an area which will be desperately needed for recreational purposes in the near future.

It is time the Government realised it is necessary to make such areas available for recreational purposes, instead of annexing them. I would not have objected had a reasonable amount of land been set aside. The area set aside for this purpose at Woodman Point comprised 130 hectares. I assume that included a buffer zone around the operation, because if it did not, the Government could be challenged with the fact that danger could exist to people in the immediate vicinity. Of course, such a challenge was not made.

If an area of 130 hectares was annexed and the balance left as it is at the present time, it would be possible to provide a buffer zone similar to that which existed at Woodman Point. I cannot believe it is necessary to have 400 hectares of land to provide a buffer zone in this area when 130 hectares was regarded as being ample for this purpose at Woodman Point. The Minister will recognise the point I am making.

I believe it is a grab of more forest land for no other purpose than to take it out of the hands and away from the possible use of the people in the area for recreational purposes. I oppose it, and the Labor Party opposes it. Unless the Minister can give a satisfactory answer, we will be in the position of having to oppose the proposition with regard to area No. 5. That is all I wish to say.

MRS CRAIG (Wellington—Minister for Local Government) [3.41 p.m.]: I thank the member for Warren for his general approval of the areas contained within this revocation of State forests. I am glad he understands the significance there is to the exchange, on an equal basis, of some forest land for farmland. It is true to say that some people who are farming find themselves in a difficult situation when their viability is affected, and adjacent to them is some poor quality forest land. I am also glad that the Forests Department in Western Australia has always taken an essentially practical and humane attitude towards those who indicate that an equal area of land suitable for forest is available in exchange for the land adjacent to the farm. In this case, two separate persons will be assisted.

I am not able to indicate to the member for Warren or the member for Swan exactly at what date the alteration took place in relation to the

first area mentioned in this revocation. I could suggest to both members that the member for Collie would have been the appropriate person to ask the question. I regret I have no notes with me which indicate when it was done. It seems that the re-routing of the road may well have been effected because it was needed in some way to assist the mining programme in the area. Whilst I cannot say so as a statement of fact, to the member for Swan and to the member for Warren, I do recall the time when I was in the Forests portfolio there was some suggestion that an action of this sort might be needed to facilitate the mining programme in the area. However, I cannot make that statement with any surety, but I know it was mentioned at that time.

Various questions have been raised in relation to area No. 5. As was quite rightly said, we are talking about an area of 538 hectares. It is intended to relocate the explosives magazine, presently situated at Woodman Point, in this area of State forest.

Perhaps the first question which needs to be answered is that the area which the explosives magazine presently occupies is to be used in the future for recreational purposes. I thought members would be well aware of that after the debate on the Reserves Bill which related to Jervoise Bay. It was made very clear that the area would be vested for recreational purposes.

Mr Skidmore: I do not question that.

Mrs CRAIG: The question was raised as to the management of the area in the future. I have told members previously, and I will repeat it, that a project co-ordinator has been appointed and he is working with a committee to rationalise the recreational use of the area at Woodman Point. I am unable to say that the area which the State explosives magazine presently occupies will be used for any specific recreational purpose. But, it will be used for recreation, and other Commonwealth land has been purchased which also will be made available for use by the citizens of Western Australia for recreational purposes.

The member for Swan questioned the area of land concerned and said that perhaps because a smaller area was to be occupied, it would have been suitable to excise only an equivalent area for the magazine to be relocated. The buffer zone was the area of Commonwealth land to which the public did not have easy access. Therefore, it has been used as a buffer. I am not aware of the particular discussions that took place in relation to what size the buffer zone which is to surround the relocated area ought to be.

Sitting suspended from 3.45 to 4.04 p.m.

Mrs CRAIG: Just prior to the afternoon tea suspension I was speaking of the area set aside to relocate the explosives magazine for the Mines Department of Western Australia. The total area is 538 hectares, and the central core area of 80 hectares is to be set aside for the storage of the explosives. This means, of course, that the buffer zone will cover an area of 458 hectares.

The central core area will be vested in the Minister for Mines and the perimeter area will be vested jointly in the Minister for Forests and the Minister for Mines.

Quite rightly the member for Warren said the area is presently under pine and the Forests Department has indicated that its intention at this stage is to have one rotation only. The pines are between six and 12 years old and a mixture of *Pinus pinaster* and *Pinus radiata*. I suppose it is fair to say that the pines are not of excellent quality. However, it is hoped they will produce a suitable timber yield in future years.

The reason for a buffer area of such size is our major concern to protect the citizens of Western Australia in case of accident. Members will recall that at various times in different States it has happened that a person has stolen an aeroplane and crashed it. One must have a secure buffer zone to ensure that the effect on the public of any such accident will be minimal.

The member for Swan said he believed the buffer zone was larger than the one at Woodman Point. Of course, he has forgotten that immediately to the west and to the south of Woodman Point we have the sea which is the most effective buffer zone we could have.

Mr Skidmore: Of course ships don't blow up!

Mrs CRAIG: The siting of the magazine area to the north-east of Rockingham and the north-east of the present magazine area is that it is essential to locate it centrally so that people wishing to collect explosives may do so without having to travel too far.

The arguments of the member for Swan were a little difficult to follow. On the one hand, he said we should not be taking away a recreation area from the people of Western Australia, but then he said that this buffer zone would be a most suitable residential area.

Mr Skidmore: I did not say that at all; you are misquoting me completely.

Mrs CRAIG: It is a little difficult to reconcile those two statements. I am not misquoting the honourable member. He said he believed the area will be residential in the future.

Mr Skidmore: I said it could be in the future.

Mrs CRAIG: He said it could be a suitable area for development to take place.

Mr Skidmore: I said it could be; not that it would be.

Mrs CRAIG: Prior to that the member for Swan took exception to the fact that we were in any way diminishing an area of forest in Western Australia.

Mr Skidmore: Oh what is the good of arguing with you!

Mrs CRAIG: It is hardly likely that both Houses of the Parliament of Western Australia would agree to excise from the control of the Forests Department land that was capable of supporting a suitable pine plantation. By that time the area we are discussing will be a well-established magazine explosives depot.

I would like to make one other comment about the buffer area and its management. It would have been fair for members opposite to query the management of this forest and the safety precautions to be taken to protect people employed in the area.

I am assured that the management of the area will be carried out by the Forests Department under the Mines Department safety regulations. This will ensure people employed in the area will be protected against any of the practices of the Forests Department to the best of the ability of that department.

The member for Swan suggested also that the depot would have been better sited at Byford in conjunction with the Commonwealth Government, and the member for Warren referred to an area at Spring Hill. Neither of those areas is under State ownership and both members would be aware of the difficulties involved in purchasing land for this purpose.

Mr Skidmore: What about Woodman Point?

Mrs CRAIG: Woodman Point was under State ownership, and that was made quite clear.

Mr Skidmore: When was that?

Mrs CRAIG: The area presently occupied by the magazine has never been under anything but State ownership. Because the State already owned the area, it was not part of the purchase of the adjacent land. So the reasons for choosing this site were twofold; firstly, the State did not own the land in the two places mentioned, and secondly, the depot must be located centrally so that people picking up explosives have ready access to it.

I have mentioned already that the member for Swan said the people of Western Australia will be soon short of recreational areas. It is difficult to

reconcile that statement with recent actions of this Government. The Woodman Point area is in the process of becoming available entirely for recreational pursuits. Also, a large area of land immediately to the east of the present Cockburn Road and previously set aside for industrial purposes has been made an area of regional open space and will be available for the use and benefit of the people of Western Australia. I believe it would be very hard for the honourable member to sustain the arguments he endeavoured to advance in his opposition to this revocation procedure.

The only other point I wish to make is that Opposition members in another place raised no objection to the matters involved in this revocation procedure, and I find it rather difficult to reconcile that with the attitude of the Opposition here.

Question put and passed, and a message accordingly returned to the Council.

BUILDERS' REGISTRATION ACT AMENDMENT BILL (No. 3)

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Consumer Affairs) [4.13 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill now before the House is to amend the provisions of the Builders' Registration Act to correct anomalies which have become apparent, to correct deficiencies, and to assist in the better administration of the Act.

The amendments incorporated in the Bill are in the main the result of submissions by the Builders' Registration Board.

Submissions have been received also from the Master Builders' Association and the Housing Industry Association and these have been taken into consideration in the framing of the amendments.

The area of jurisdiction as presently contained in the Act refers to the second schedule to the Metropolitan Water Supply, Sewerage, and Drainage Act. However, this schedule was repealed and the area was redefined by Order-in-Council, which order is included in this amending Bill. A provision is included also to validate actions taken by the board since the repeal of the second schedule.

In an unsuccessful prosecution by the board, it was found by the court that renovations and alterations of a cosmetic nature were considered to be non-structural and therefore were not covered by the Act. This has presented problems

to the owner and the board in having faulty work rectified.

The Builders' Registration Board recognises that certain specialised types of industrial buildings may be competently erected by persons having skills confined to that particular type of construction, whilst not possessing the experience or qualifications necessary to be recognised as registered builders.

The owner-builder provisions are, therefore, to be extended by granting the board power to authorise the issue of a building licence for erection of buildings, in addition to dwellings, where the board considers this to be justified.

The financial limitation on the cost of building work before a licence or registration has to be obtained is \$2 400. It is considered that in view of the increases in building costs since that limit was set, the financial limitation should be increased to \$6 000. Future amendments to this limitation will be made by regulation under the Act.

In considering this amendment, note was also taken of present penalties. An examination of the penalties imposed by the courts for persons convicted of operating while not being registered ranged from \$10 to \$100. Even with the addition of costs, such penalties barely provide a deterrent and may easily be absorbed by an unregistered builder. Penalties are therefore to be increased.

In 1975, the Act was amended to remove the requirement for a registered builder to display his name on site signboarding. This has led to considerable confusion in the industry. To overcome this problem, the name of the registered builder will be required to be included on site signboarding.

Problems of proof of identity and authority to appear on behalf of the board in prosecutions before the courts have been experienced by board staff. An amendment is included in the Bill to provide that a certificate, containing certain specified information, signed by the chairman of the board will be sufficient proof of identity and authority to prosecute.

Finally, three definitions in section 2 are to be amended to update references to other Acts as it is considered that in their present form they could be misleading.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Skidmore.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 4)

Second Reading

MRS CRAIG (Wellington—Minister for Local Government) [4.19 p.m.]: I move—

That the Bill be now read a second time.

Recent litigation in which the system of valuations used by a certain council was challenged, has highlighted serious deficiencies in the relevant provisions of the Local Government Act.

The court found to be invalid, an order of the Governor that purported to change the type of valuations used for a number of townsites in the particular municipal district from unimproved valuations to gross rental valuations.

The valuations had been used for 1978-79 rating purposes. However, on their being declared invalid, the council found that the Local Government Act provided no mechanism for proper valuations to be obtained and rates to be correctly reimposed. The council therefore has not been able to reassess its 1978-79 rates or assess rates for the present financial year.

The litigation also gave rise to other implications.

The procedure that was adopted in obtaining the Governor's order for the council concerned, had also been followed over many years to change valuations in portions of other rural municipalities. Inevitably, these changes authorised rural shires to use gross rental valuations for their townsites or other non-rural areas.

Because of the decision given by the court, the validity of the order covering other municipalities must likewise be suspect. Approximately 80 shires would be involved.

The same doubt exists about orders that have been made authorising a municipality which had changed in status from a shire to a town or city to retain the system of valuation it had used prior to the change.

The litigation also pointed to the need for clarification of the provisions of the Local Government Act setting down the procedures that must precede an order authorising a municipality to change the system of valuations used in a district or portion of a district.

This Bill now sets out the procedures fully and clearly. They are strictly in keeping with what has been the practice for changes in valuations over many years and what was always understood to be required or permitted under the existing

legislation until the whole matter was recently brought into question.

The Bill also makes it clear that when a valuation is quashed, the council concerned must obtain a new valuation and reassess any rates that had been imposed on the basis of that which was quashed. The council will be required to prepare a new budget for the relevant year and re-determine all of its rates.

However, in the event of the quashing of a valuation that applied only to a portion of a district, the council would have the opportunity to continue the rate that had been imposed on the remainder of the district and to impose that same rate on the valuations which replaced those which had been quashed.

This would save the council having to go to the trouble of reassessing rates for the entire district where the amount involved was not significant. In those circumstances, the council would need to reassess rates only for that portion of the district to which the quashed valuation had been applied.

The Bill provides that the quashing of a valuation will require the reassessment of rates only as far back as the financial year in which action first commenced to have the valuations quashed.

The Bill makes provision for a council to prepare a new budget and impose new rates where any rate has been quashed by a court.

The Bill contains provisions which will ensure the validity of orders that have been made over the years to change valuations at various municipalities. However, these validating provisions do not extend to any valuations that have been quashed in accordance with the law prevailing at the relevant time.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Carr.

QUESTIONS

Questions were taken at this stage.

LITTER BILL

In Committee

Resumed from the 24th October. The Deputy Chairman of Committees (Mr Watt) in the Chair; Mrs Craig (Minister for Local Government) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Interpretation—

Mr SKIDMORE: The interpretation placed on "litter" reads—

- (a) all kinds of rubbish, refuse, junk, garbage or scrap; and
- (b) any articles or material abandoned or unwanted by the owner or possessor thereof, . . .

And the conclusion reads—

. . . but does not include dust, smoke or other waste products emitted or produced during the normal operations of any mining, extractive, primary or manufacturing industry;

I ask the Minister whether there would be any reasonable assurance that the production methods and the manufacturing industry would not at times cause litter to accumulate in the streets. One example which comes to mind is one which concerns many factories in the metropolitan area. If these factories are not enclosed with cyclone fencing which are paper or refuse proof, one will find around these factories and the adjacent streets and vacant lots a great deal of refuse. This could be called litter.

I do not see how it is not possible for this to occur. This is a Bill, for the purpose of preventing litter from being spread in the streets or on vacant lots, as well as areas where the public is permitted, but because the litter often comes from the manufacturing industry it will be difficult to control by this measure.

I would have thought that a Bill of this nature—and as its title seems to suggest—was designed to help in the abatement of litter. If there is a manufacturing process which causes litter, then that ought to be controlled, otherwise such a manufacturing industry is being let off the hook. One perhaps might take this a little further—

Mr Nanovich: If it is an industry, is it not governed by the by-laws of local government authorities?

Mr SKIDMORE: I was about to mention local authorities because I wish to make an analogy with the local tip. During the process of landfill operations these tips are not covered by a Litter Bill such as this. That worries me a little and also it worries me that people carting litter and rubbish to the tip are often causing rubbish to be strewn all over the place.

It would appear to me that local government authorities should be covered by this Bill. During the second reading stage I made reference to the fact that this Bill does nothing more for the control of litter than could be done if the Keep Australia Beautiful Council retained its identity as a private organisation. In fact, at a later stage I will show that the local authorities do not want

this piece of legislation. I am not saying all local authorities, but certainly several have communicated this information to me.

Unless I receive a satisfactory answer from the Minister, I propose to make a suggestion for an amendment to this clause.

I have no objection to dust and smoke not being classified as litter because they are quite clearly taken care of by the Clean Air Act and, of course, the Pollution Control Council of which I was a member for four years.

With regard to the question raised by the member for Whitford by way of interjection, I am not aware of the authority which controls the manufacturing processes or of the Act which would apply.

The Clean Air Act is one of the Acts which really does its job. In fact, it has made many companies in the metropolitan area clean up their chimney stacks—the Midland Brick Company was one of them. All sorts of fumes had been spilling over into the vineyards in the Swan area. The owner of the company, Mr Ric New, thought the only way he could overcome this was to buy the adjacent vineyards so that he was not causing anyone trouble. However, the council got onto him and made him do it.

That is why in this instance I see nothing wrong with dust or smoke being excluded but I believe there should be no exclusion of waste products from manufacturing industries, restrictive industry, primary industry, or mining operations. I hope the Minister will be prepared to allow dust and smoke to be excluded, but certainly not waste products.

Mrs CRAIG: An extractive industry must comply with certain conditions which are laid down by the local authority, and it receives its permit to extract only on those conditions. That is one situation which obtains. In another situation, talking purely about a mining operation, it is the responsibility of the Mines Department. As far as the general management of an industrial area within a local authority is concerned, the area is always zoned for that purpose and very stringent by-laws are applied to businesses within the zone in regard to setbacks and everything else. Those matters are taken care of by means other than the Litter Act. They are responsibilities which already rest with local authorities and the authorities accept them very well indeed.

Mr SKIDMORE: I have no course other than to move my amendment because I am far from satisfied with what the Minister has said. The amendment aims to do the obvious; that is, remove the exclusion of waste products and all the

operations enumerated in the interpretation of "litter".

The Minister makes great play on the fact that the local authorities have the power under the Local Government Act to take the necessary action against manufacturing industries to ensure they do not cast their litter around. However, I remind the Minister that during the second reading debate I referred to the powers contained in this legislation as being absolutely unnecessary because they are covered in the by-laws which local authorities can make under the Local Government Act. When replying to me the Minister said that was not pertinent to the point and the Bill was needed to ensure they were carried out. When I came up with a proposition, in line with the Minister's reply to me, that the Keep Australia Beautiful Council should have some teeth in it, the Minister said, "You cannot do that. That is a local government matter. You cannot have your cake and eat it too."

I have been speaking to the amendment in the strictest sense because I must establish a reason for the deletion of certain words. The amendment will enable me to remove words from the clause and insert other words to achieve my objective.

Let us be truthful about it. When I said the shires had the power, the Minister said, "We want to have that power under this Bill so that we can make the shire do those things." When I said I would agree with her, the Minister then told me, "No, you can't do that."

I move an amendment—

Page 3, lines 11 and 12—Delete the words "smoke or other waste products" with a view to substituting other words.

Amendment put and negatived.

Clause put and passed.

Clauses 6 to 8 put and passed.

Clause 9: Membership of the Council—

Mrs CRAIG: I move an amendment—

Page 6—Delete paragraph (j).

This clause deals with the constitution of the body which will be known as the Keep Australia Beautiful Council. Provision was made previously for only one person to become a member of the council from a panel of names submitted by the Local Government Association and the Country Shire Councils' Association. The reason for that, at the time the legislation was prepared, was the Country Shire Councils' Association had dropped out of the Keep Australia Beautiful Council some four years previously and had not been displaying very much interest in it. However, the situation has changed since that time and I believe it would

be more appropriate to have one person representing the Local Government Association and one person representing the Country Shire Councils' Association.

Mr SKIDMORE: Had I been satisfied that this amendment was in line with what the local authorities wanted, I would have been prepared to accept it; but I find that is not so. I have a copy of a letter dated the 24th October which was sent to the Minister for Local Government by the City of Fremantle which clearly indicates it had some misgivings about being forced to submit a panel of four names at that time. I now find the Local Government Association and the Country Shire Councils' Association must each submit a panel of three names. Whereas previously one person was selected from four nominees, one person will now be selected from three nominees. The City of Fremantle indicates that it normally nominates only one person to a body, rather than a panel of names, and it takes strong exception to having to forward three names in order to have one person appointed to the council.

If the Local Government Association has the right to be represented on the council, why not allow it to nominate only one person, in accordance with normal practice, instead of insisting on its submitting three nominees? That does not seem to be an unreasonable request.

Certainly this is set out very well in the letter from the City of Fremantle. The Minister is no doubt aware of this letter, dated the 24th August, which reads as follows—

It would be of interest to this Council to know why the procedure of a single nomination to the Minister on behalf of an organisation is regarded as inappropriate in the case of local government. The Associations have managed in the past to select single nominees for other organisations such as the Advisory Council for Inter-governmental Relations and the Australia Council of Local Government Associations.

I will just pause there to say that fairly important positions are held by local government nominees. For that reason local government should be given the right to choose its own people. The letter concludes—

Presumably then, the panel device is not to assist the Associations in resolving how to select a single nominee. This they can manage effectively.

So I find myself unable to agree with the proposal. I take this opportunity to express my objections, as I thought it would be not unreasonable for me to put forward my point of

view. No doubt the Perth City Council and other councils may not agree with the proposition contained in the letter from the Fremantle City Council. I cannot subscribe to the proposal of splitting because the subsequent resolution will do what the City of Fremantle does not want. I wait with interest for the Minister's reply.

Mrs CRAIG: May I say, in reply to the member for Swan, the two bodies he mentioned to which members are nominated by the Local Government Association happen to be bodies entirely associated with local government. One is the Australian Council of Local Government Associations, and the person nominated to that body historically has been a person occupying either the position of President of the Local Government Association or the position of President of the Country Shire Councils' Association. The Council for Inter-governmental Relations is set up to inquire into local government specifically, and it is sensible that one of the bodies referred to should elect one of its own people to that body.

The situation in the Bill is in no way parallel. The Keep Australia Beautiful Council will be a statutory body and many groups of people will be represented on it. I have made the point before that this Bill does not seek to usurp the powers that local government already have, but we will be looking for co-operation with local government. As in the past, I am sure we will get it. It is eminently fair that local government is represented on the council by two persons, and the manner of selection from a panel of three names is certainly not unfair.

Such a selection system does not apply to local government only. For instance, the Institute of Surveyors is asked to supply a panel of three names in order to nominate a representative to the Surveyors Board. This is the way people are selected for such bodies, and it is a good way to allow us to ensure a good balance on the council. That is what we are looking for.

Mr SKIDMORE: I thank the Minister for her reply, but I would now like to quote from a letter written by the Shire Clerk of the Shire of Kalamunda. It is dated the 7th November, 1979, and addressed to the Minister for Local Government.

The letter quotes the question referred to council by the Local Government Association in July, 1979. The question was as follows—

Is your Council in favour that for litter control purposes a Statutory Authority as outlined in the letter from the KABC dated

13th February, 1979, which has been sent to all Councils, should be created?

The letter then states the council's answer to this question which was as follows—

That Council is in favour of updating legislation to supplement existing legislation but is not in favour of the establishment of a statutory litter control authority as outlined in the letter from the Keep Australia Beautiful Council of 13 February, 1979.

The letter then concludes—

It is understood that the members of the Local Government Association voted overwhelmingly to oppose the establishment of a statutory authority to carry out the work of the Keep Australia Beautiful Council.

From our point of view therefore, it is regrettable that the wishes of Local Government have not been heeded in this instance.

It must be clear to everyone in the Chamber tonight that we should be able to take the word of the Shire Clerk of the Shire of Kalamunda, and in this letter he has written to the Minister for Local Government, he tells her of the attitude of the Local Government Association and its concern that the statutory authority to be set up under this legislation will whittle away the rights and powers of local government under the Local Government Act.

If the Minister can tell me that is not the intention, how can she have the gall to remain seated when I put forward a reasonable proposition to her about waste products?

Apparently my comment has amused the Minister.

Mr B. T. Burke: Local government does not even speak to her these days.

Mr Nanovich: Did you oppose the Keep Australia Beautiful Council?

Mr SKIDMORE: I said that we would support it reluctantly.

Mr Nanovich: You said the penalties were not stiff enough.

Mr SKIDMORE: Government members want me to make a mistake so they can say, "We have Skidmore on the hook at long last." Let me remind the member who made that remark that I said we support this measure reluctantly.

Mr Clarko: That means you support it.

Mr SKIDMORE: The member for Karrinyup is as smart as the member who sits alongside him.

Mr Clarko: That is a lot smarter than you.

Mr SKIDMORE: Government members are always seeking to denigrate someone. I was asked the question: Do you support the Keep Australia Beautiful Council? And the answer is, "No."

Mr Clarko: It is interesting to hear a member say that.

Mr SKIDMORE: That demonstrates Government members are incorrect when they say we are denied the right to put forward a contrary opinion. My party said to me that as the result of a majority decision we will support this Bill reluctantly. I am doing that. I was not asked the question as the spokesman of the Labor Party; I was asked the question personally. I believe it would have been far better to leave the Keep Australia Beautiful Council alone. The ordinary citizen will now be denied the opportunity to participate.

Mr B. T. Burke: Government members are very quiet now they have been answered.

Mr Clarko: Your members are falling apart.

Mr SKIDMORE: I become a little tired of the so-called politicking that the Government members seem to feel is necessary in this place.

Mr Clarko: We would not want any politicking here!

Mr B. T. Burke: You asked the member a question and he answered it. You were trying to score cheap political points.

Several members interjected.

Mr SKIDMORE: I want to get back to the question—

Several members interjected.

The DEPUTY CHAIRMAN (Mr Watt): Order! Members will refrain from cross-Chamber conversation.

Mr SKIDMORE: The innuendos and insinuations of the member for Karrinyup worry me not.

I understood the Minister, in her reply to me, to say it is necessary for the Local Government Association and the Country Shire Councils' Association each to have a nominee because they should be represented. I agree. However, they are merely making the best of a bad situation. They have said, "If we are to be forced to be part of this council, we must ensure our interests are not eroded by it, so we might as well be members of it to protect our interests."

Mr B. T. Burke: It is like being asked if you want to be killed by a gun or a knife and after choosing one, being accused of supporting it.

Mr SKIDMORE: That is a fairly close analogy to the situation which will develop on the Keep

Australia Beautiful Council, and it is something I do not want to see happen. For that reason I oppose the amendment on the ground that it does nothing for local government.

Local government associations do not want this Keep Australia Beautiful Council. They voted overwhelmingly against it. Yet the Government is hell-bent on taking from local authorities the power they now have and giving it to the council. I oppose the amendment.

Mrs CRAIG: In respect of the overwhelming opposition of local authorities, the member for Swan is quite right; a questionnaire was sent out by the Local Government Association. It asked simply, "Do you approve of a statutory body for litter control?" Three approved of it, 18 disapproved, and nine did not reply. Immediately upon receipt of that information from the association, I went to the secretary and asked him the reason for the objections by councils. He said he could not tell me because the councils were not asked that question; they were merely asked whether they wanted a statutory body.

I then ascertained what consultation had occurred prior to the distribution of the questionnaire. I found—and confirmed today—that the Secretary of the Local Government Association (Mr Coffey) was given a draft of the Bill on a confidential basis, and he had the opportunity to discuss the matters contained in it with representatives of the Keep Australia Beautiful Council, the Secretary for Local Government, and another officer. Some suggestions were made at that meeting and, indeed, some changes were implemented as a result of it.

Subsequent to that, another meeting was arranged which was attended by the President of the Country Shire Councils' Association, the President of the Local Government Association, Mr Coffey, officers responsible for the legislation, and representatives of the Keep Australia Beautiful Council. The draft legislation was again discussed and a consensus reached. I am informed they were satisfied with the provisions.

Mr Skidmore: Were there any representatives of shires?

Mrs CRAIG: The President of the Country Shire Councils' Association and the President of the Local Government Association are elected to those positions by members of local authorities. They are local authority executives and are spokespersons for local authorities in this matter. Therefore, to assert that no consultation took place is not correct. After all that, on the day on which the second reading of the Bill was

introduced to the House I ensured that every local authority received a copy, and that the Local Government Association also received one.

Mr B. T. Burke: A little late.

Mrs CRAIG: The local authorities then had the Legislative Review and Advisory Committee consider the Bill to see whether it objected to anything in it. The committee raised four objections. The first related to representation on the council. I indicated then I had already placed an amendment on the notice paper to meet with their approval. The second objection related to the provision of litter receptacles. This is something which cannot be imposed on local authorities from my reading of the Bill; it can be done only if they give the council permission to exercise the power. This is something the member for Swan was critical of during the second reading debate because he believed the council ought to be able to override local authorities in that case.

Mr B. T. Burke: How many didn't reply?

Mrs CRAIG: The two other matters to which committee failed to grasp the concept that we were looking at a total package to try to do something about litter, and we were looking at litter itself.

Mr Skidmore: Did you do anything about that?

Mrs CRAIG: The second was that the committee failed to grasp the concept that we are looking at a total package to try to do something about litter, and we are looking at litter itself.

Therefore, I believe I have done all I can to ensure local authorities know what is in the legislation. It would be foolish of me to assert that every single person will agree with the Bill. However, it is important that people recognise that the council will not usurp the power of local authorities; it will exercise that power only when local authorities wish it to do so.

Amendment put and passed.

Mrs CRAIG: I move an amendment—

Substitute the following paragraphs for the paragraph deleted—

- (j) one shall be appointed on the nomination of the body known as the Local Government Association of Western Australia;
- (k) one shall be appointed on the nomination of the body known as the Country Shire Councils' Association of W.A.;

Amendment put and passed.

The clause was further amended, on motions by Mrs Craig, as follows—

Page 6, line 25—Delete the words "two shall be persons" and substitute the words "one shall be a person".

Page 6, line 29—Delete the passage "or (f)" and substitute the passage ", (f), (j) or (k)".

Page 7—Delete subclause (4).

Mr SKIDMORE: The Opposition is dissatisfied with the composition of the council. If ever I have seen a council loaded with littermakers, this is it. We have the Soft Drink Manufacturers Association representative, the brewing industry representative, the representative of the Packaging Council of Australia (Western Australian Division) and a representative of the manufacturers of cans; the list continues in the same vein.

I wish to bring to the notice of the Committee the manner in which our goods are packaged. The best way is by a practical demonstration. Some time ago I went to Moores and purchased a shirt. I might add, I have been waiting for quite a while to make use of the shirt; I am certainly not going to table it!

Firstly, I have a paper bag in which the shirt box was placed. Then, I have a plastic lid measuring about nine inches by 15 inches; a similar-sized box holds the shirt itself. To get at the shirt, I must first remove from the collar a piece of plastic measuring about four inches by one inch. Believe it or not, this piece of plastic sits around a pin located behind the collar.

Then, so that the manufacturer of the shirt can clearly identify to people that he makes the shirt—notwithstanding the fact that the word "Pelaco" is on the outer box, and on the shirt collar itself—we have a piece of paper measuring about four inches by two inches, secured by the top two buttons. It states, "Pelaco Blendene—wrinkle-free collar". It could not be anything else but wrinkle-free with that piece of plastic on it!

Mr Laurance: You must admit it is good advertising. It got you in.

Mr SKIDMORE: I do not object to legitimate advertising, but I do object to being required to dispose of useless advertising of this nature. Having removed the pin from the collar, I must then remove a second pin from the sleeve. I turn the shirt over and remove a third and fourth pin.

Mr Young: It does not matter how many you remove; one will still get you when you put the shirt on.

Mr SKIDMORE: I pull out a fifth and sixth pin from behind the collar, and feel I must be

getting close now. I delve inside the shirt to find pin number seven. I am really getting into this shirt, now. When the shirt is unwrapped, we find another piece of cardboard, measuring about nine inches by 15 inches. Members can see the quantity of garbage which comes with the purchase of each shirt. The best thing I can do is put the lot back in the bag Moores gave me, and throw it out.

Sir Charles Court: Why didn't you buy a locally-made shirt?

Mr SKIDMORE: The shirt is made in Western Australia.

Sir Charles Court: It is a Pelaco.

Mr SKIDMORE: Does the Premier believe Pelacos are made in the Eastern States?

Sir Charles Court: I would be amazed if they were not. Are you saying the shirt is made here?

Mr SKIDMORE: Let the record show the member for Swan has been disloyal to his own State by purchasing a shirt made in the Eastern States.

In all seriousness, what I wanted to show was the unnecessary amount of packaging which accompanies the purchasing of each shirt.

Mr Clarko: Could I have the box?

Mr SKIDMORE: Could the member for Karrinyup shut up! It would give me great pleasure if he would be quiet. He has the biggest mouth of any human being I have seen in a long time, and it is never closed. He has the biggest stomach, as well.

Mr Clarko: My local church group makes lamingtons and those boxes are perfect for the lamingtons.

Mr SKIDMORE: The member cannot have the box; I need it for our next fund-raising drive.

Mr Clarko: It shows that parts of that packaging will be used again.

Mr SKIDMORE: I realised when I started on this exercise that I would create a little hilarity; that is not a bad thing, because at times this place becomes staid, prim and proper. I wished to show the Committee the amount of garbage one must take away with the purchase of each shirt. Yet we have on this council representatives of the very companies which create that garbage. The member for Gascoyne suggested—quite rightly—that it is good advertising.

I was curious about the Packaging Council of Australia. I could not find it in the telephone book so I consulted the Local Government Department. Firstly, I was told by a junior officer it was a Melbourne-based association. I thought, "That is

great. We are going to have our litter laws controlled by an association based in Melbourne." I thought it would send a representative over here.

Mrs Craig: It is the Western Australian division.

Mr SKIDMORE: The Minister should not jump the barrier. I said to the officer concerned, "That does not seem to be right" and he went away and returned with a senior officer. After some time, they finally discovered the Packaging Council of Australia was represented in Western Australia by a person who worked for ACI Plastics. No wonder the president of the Western Australian division is on this council; ACI Plastics makes most of the packaging which creates the problems we are facing today. One cannot buy a shirt or even vegetables without being confronted with plastic wrapping. Yet these are the very people who will be controlling our litter laws.

The council will also include a representative of the Soft Drink Manufacturers Association of Western Australia. This body is responsible for manufacturing the packaging of all soft drinks, whether it be bottles or cans. It has never imposed a voluntary restriction upon itself relating to the amount of litter it creates.

The disposal of that litter cannot be handled by the local authority. When the cans are cast aside, there is no value in them for collection. This is shown in *The Management of Packaging Waste: A Discussion Paper*, published by the Australian Environment Council in February, 1979. On page 95 the following appears—

returnable bottles deliver beverages more efficiently than one-trip bottles . . .

The manufacturers of cool drinks and soft drinks use the one-trip bottles for ginger ale and other drinks. One firm involved is Schweppes. Such firms will have representatives on the council, but they have not the moral courage to accept that they ought to do something about the return of one-trip bottles.

In discussing an amendment I will move later, I will attempt to demonstrate how much it costs to manufacture non-returnable bottles. The Minister could perhaps persuade me why we should load the council with so many bodies which cause disruption in relation to litter.

The soft drink manufacturers accept portion of their responsibility by placing a returnable deposit on some cool drink and aerated waters bottles. However, they do not go far enough. The manufacturers of aerated waters have shown they have placed the onus upon the shopkeepers as distinct from having the bottles returned directly to their premises as beer bottles are returned. We

know of the effectiveness of the collections by marine dealers, although those collections do not solve the problem completely.

I move an amendment—

Page 5, lines 29 to 31—Delete paragraph (a) with a view to substituting a new paragraph.

The DEPUTY CHAIRMAN (Mr Crane): The last of the amendments moved by the Minister was on page 7. You are referring to page 5. We cannot go back to that clause as we have already dealt with page 7.

Point of Order

Mr SKIDMORE: On a point of order: I was under the impression that I could amend the amended clause before the Committee. I am not going back to the original proposition; I am going back on an amended clause. I have always said that should be the way it should be done. If I were to come in with my amendments, that would have interrupted some of the subsequent amendments by the Minister. I gave her the courtesy of allowing it to be done that way. If my amendment is out of order, I find myself in extreme difficulty because I have amendments referring to the previous clause. My understanding of the issue is that that is the way it should have been done.

The DEPUTY CHAIRMAN: The only way you can deal with the problem is by moving at a later stage that the Bill be recommitted for the further consideration of clause 9.

Mr SKIDMORE: I seek your guidance about the later stage. When can it be done?

The DEPUTY CHAIRMAN: You can do that on the adoption of the Committee's report or on the third reading.

Mr SKIDMORE: Would it be competent for me to move the deletion of the whole of the amended clause?

Sir Charles Court: You vote against it.

Mr SKIDMORE: I cannot do it by way of amendment?

The DEPUTY CHAIRMAN: You can do it only by voting against the clause.

Mr SKIDMORE: I shall have to oppose the whole of the clause in the hope it will be defeated and I can do something about the question I wish to raise.

Committee Resumed

Clause, as amended, put and passed.

Clauses 10 to 38 put and passed.

Point of Order

Mr SKIDMORE: Is this the appropriate time for me to move the recommittal? I have not had the opportunity to represent the people I wanted to represent. I feel I should have the opportunity.

The DEPUTY CHAIRMAN: The first opportunity you will have will be on the question that the Committee's report be adopted.

Mr SKIDMORE: That is when it is handed to the Speaker?

The DEPUTY CHAIRMAN: Yes—at the next sitting of the House.

Committee Resumed

First schedule put and passed.

Second schedule—

Mrs CRAIG: I move an amendment—

Page 31, after paragraph (f)—Insert a new paragraph to stand as paragraph (g) as follows—

- (g) To promote awareness of, and encouragement of, litter recycling.

Mr SKIDMORE: I find myself in the position of speaking to the questions I was unable to speak to before, because of my apparent lack of knowledge of the Standing Orders. The amendment is to promote awareness and encouragement of litter recycling. That is an absolute misnomer as it applies to this Bill.

I had pointed out, before it became impossible for me to move an amendment, that I wanted to change the membership of the council so that there was awareness and encouragement of litter recycling. I wanted to have placed upon the council replacements for the members who had been nominated by the litter manufacturers.

The Conservation Council of Western Australia wrote a letter to the Premier on the 23rd October, 1979, and I quote from it as follows—

The Conservation Council is astounded by the composition of the Keep Australia Beautiful Council proposed in the Litter Bill. We recognise that it may be desirable to have a member representing the packaging industry, but the legislation proposes that half the members of the K.A.B.C. will be representing those industries that create the packaging waste which later becomes the litter problem and the waste-disposal problem.

I think I showed a classic example of this earlier. To continue—

This is a sure recipe for a continuation of the ineffectual and cosmetic approach of the current K.A.B.C. which is also dominated by the packaging industry.

The council went on to say the Bill would not promote awareness and encouragement of litter recycling. It pointed out the Government had ignored representatives of the Australian Consumers Association, the Marine Collectors Association of WA, and the Department of Conservation and Environment.

It surprises me the Minister believes by introducing such an amendment the people will construe it as a gigantic step forward which will give respectability to the Keep Australia Beautiful Council and promote awareness and encouragement of litter recycling. It will not achieve this objective. I shall quote from notes given to me as follows—

One-trip cans and bottles use far more energy than multi-trip containers, yet we are moving towards an entirely throw-away beverage container system. One local bottle firm uses about 25,000 litres of fuel oil per week to keep its furnaces producing 333 stubbies and 91 refillable beer bottles each minute.

As a stubby is ten times more likely to be littered than a refillable beer bottle our scarce petroleum is being used to generate litter and waste-disposal problems, Mr Halse said.

The House of Representatives Standing Committee on the Environment, The Australian Environment Council and the OECD Council have all recently favoured the encouragement of refillable beverage packaging that would use less resources and minimise littering. All stated that deposits would reverse the present wasteful trend towards throw-away containers.

I think that gives the lie to the suggestion the Minister's amendment will bring about awareness and encouragement of litter recycling. It is just a sop to many people in the industry who see themselves losing control of all this throw-away garbage and possibly facing a situation where the council would take its responsibility much more seriously than it had in the past. The manufacturers are now sure they will not be disadvantaged. This is being achieved with their representatives being appointed to the council. The council will have representatives of the people responsible for the litter.

The people who I think would make an effort to bring about awareness and encouragement of

litter recycling are the sorts of people on bodies such as the Conservation Council of WA, and the Marine Collectors Association of WA. One could imagine their representatives urging people to be more aware and more knowledgeable of litter disposal problems.

Certainly, the Marine Collectors Association of WA is a very responsible body. It is one of the very few associations which collects litter for recycling. And surely it would not be wrong for the Commissioner of Consumer Affairs to nominate people to the council. There is nothing in the Bill providing for a representative of the people who consume these goods which create the problem. The Commissioner of Consumer Affairs should have a voice in choosing representatives who will act on behalf of the general public on the council.

Another person who I believe would promote awareness and encouragement of litter recycling is the Director of the Department of Conservation and Environment. He should be able to nominate a person to the council. This Bill does not make any allowance for a representative from that department.

How can the Minister bring forward an amendment such as this and say it will give the KABC the responsibility it should have? The Bill will not take away the rights from local authorities to control this problem. I guarantee the manufacturing associations which are represented in such a heavy way on this council will have such a heavy voting power that it will make it impossible to have any worth-while encouragement of litter recycling. Certainly, they have done nothing to encourage anyone to help in this way in the past. I doubt whether any council set up under this Bill will encourage anyone to take part in a litter recycling programme.

When I asked questions with respect to what would take place in local authorities in regard to the recycling of litter I found, in the main, the authorities had failed to recognise they had to accept the challenge of recycling litter. They had abrogated their responsibilities and had said virtually, "We want nothing to do with it."

As I said earlier, the Local Government Association and local governments generally should be prepared to nominate people for the council. I cannot see anything in the amendment which will strengthen an already badly presented and badly worded Bill. In fact, it is a bad piece of legislation.

I want to make the Minister aware that in Vermont in the United States there is a very good recycling programme which started when the

people there found they were getting tonnes and tonnes of litter on their streets. The city has been cleaned up tremendously by instituting a recycling programme. The effect has been to make Vermont one of the tidiest cities in America.

The House of Representatives committee on environment and conservation saw fit to be involved in this question of litter recycling. It set up a subcommittee the role of which was to examine the problem and report on the deposits on beverage containers. The report indicated we had a long way to go before we cleared up this matter. The committee recommended—

That all beverage containers which do not carry a refundable deposit of at least 5 cents incur a tax of 3 cents payable once only at the point of manufacture or import of the container.

A further recommendation was—

That metal containers for beverages having detachable parts be banned.

I asked people in South Australia to send across an example of a recyclable can which they have and on which a 5c deposit is paid. I left the can on my desk and, unfortunately, our very efficient cleaning staff disposed of it.

Sir Charles Court: They wanted the 5c.

Mr SKIDMORE: I cannot present that container to the House. It was not the normal type of aerated water can. It had what is known as a "pop top". In other words, one could push a release pop top indentation in the top of the can and it would release the pressure in the first instance, and one could then push another little indentation and the cap would go down inside the can so that one could drink the contents. As a result, there are no problems as far as littering is concerned. The rip-off tops which we have in this State litter the beaches and people cut their feet on them.

Mr Nanovich: You can put them back in the can.

Mr SKIDMORE: I heard of a child who did that and she finished up in the Princess Margaret Hospital with a can top down her throat. It is very easy to swallow them.

The people the Minister proposes appointing as council members refuse consistently to come to grips with the problem of cans with pull-off tops. They could not care less about the problem. I

doubt very much whether such people would be likely to create any awareness in this regard.

The committee's report is rather extensive. However, in the short time available to me I should like to quote from page 14 which is headed, "People Make the Litter, say Package-makers, Not Us—But . . ." and reads, in part, as follows—

What most Victorians probably do not realise is that the KABC—

Victoria has a Keep Australia Beautiful Council also. To continue—

—is also a public relations tool of the packaging industry—a successful exercise in the fight against the banning or restricting of throwaway containers.

I should like to suggest if we intend to have a tool designed to try to encourage manufacturers to be more aware of the litter problem, we should not give such manufacturers a majority vote on the council. They will do nothing about the problem. They will not create an awareness of the necessity for litter recycling. In fact, they will probably vote in a manner which ensures that greater awareness is not forthcoming.

I should like to quote from another report which refers to the situation in Vermont. It reads in part as follows—

"There can be little doubt," writes Robert W. Fraser of the Vermont Highway Department, "that the bottle law has greatly influenced the reduction of litter volume along Vermont roadsides and it is noticeable. We receive considerable correspondence from tourists and transient motorists who express amazed pleasure at the cleanliness of our highways."

This is a specious amendment. It was designed to try to bolster up a bad Bill and it will do nothing to improve the litter problem. We are forced to drop litter all over the countryside, because there is nowhere to put it. The bins which appear on the sides of the roads are always overflowing. If the Minister appoints the people who in fact create litter to the position of council members, the problem will not be solved.

Amendment put and passed.

Second schedule, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

House adjourned at 6.05 p.m.

QUESTIONS ON NOTICE

RAILWAYS: ELECTRIFICATION

Fuel Conservation

2181. Mr McIVER, to the Minister for Transport:

- (1) Did he see the article in *The West Australian* page 13, dated Monday, the 12th November, which stated the Queensland Cabinet is considering recommendations to electrify the Brisbane to Blackwater rail link at a cost of \$27.4 million?
- (2) If "Yes", did he note that electrification of the section mentioned would save the Queensland Government 36 million litres of diesel fuel a year?
- (3) If answer to (1) and (2) is "Yes", would he advise what makes Western Australia so unique that it still will not electrify the Perth rail system and reintroduce the Perth to Fremantle suburban service to conserve fuel currently being used on the present expansion of bus policy?

Mr RUSHTON replied:

- (1) I am aware of an article in *The West Australian* of Monday, the 12th November but in accordance with that report the cost was \$274 million—not \$27.4 million.
I should add that in today's newspaper we have a spokesman for the FOR saying that Queensland "is electrifying 10 000 kilometres of line"! The Opposition seems to take liberties with figures. I suppose they think \$27.4 million is not very much different from \$274 million.
- (2) Yes.
- (3) The Queensland proposal envisages electrifying 832 kilometres of line at a cost of \$274 million including locomotives. One section of the electrified line from Blackwater will carry 12 million tonnes of coal per annum whilst another section, between Rockhampton and Gladstone, will be the heaviest trafficked freight line in Australia with up to 60 trains per day running on it.
The saving in fuel over the whole 832 kilometres will be 36 million litres per year and thus, the investment per litre saved will be \$7.60.

I cannot imagine that the member is seriously suggesting we should spend about \$100 million on electrifying the suburban passenger rail system to save 3.6 million litres of distillate per year, an investment of about \$28 per litre saved.

Worthwhile fuel savings may be possible if freight train operations were electrified and Westrail is currently undertaking studies into electrification of certain sections of its network.

In any case, the member will be aware that the changeover to buses only in the Perth-Fremantle corridor, is estimated to save about 500 000 litres of distillate per annum, with significantly less capital and operating costs.

The member should also be aware the Government will introduce electrification or any other more advanced system when circumstances warrant this action.

TRAFFIC: ROAD TRAFFIC AUTHORITY

Stolen Vehicle Report

2206. Mr WILSON, to the Minister for Police and Traffic:

- (1) What action was taken by the Road Traffic Authority at Warwick following the lodging of a report on Wednesday, the 7th November, by Mr G. Tonaro of 9 Tempany Way, Koondoola, that his Toyota Crown Station wagon licence number WN 17749 had been stolen only 15 minutes or so earlier from the driveway of his home?
- (2) Is it a fact that he was told that he would be contacted at his home the following morning at nine o'clock?
- (3) If "Yes", to (2), why was no such contact made?
- (4) In view of the fact that the stolen car has since been found in a state possibly beyond repair, why did the Road Traffic Authority not act more quickly to locate the vehicle, especially as the owner was able to report the theft so promptly?
- (5) Is the procedure adopted by the Road Traffic Authority in this instance that normally taken in following up reports of stolen vehicles?

Mr O'NEIL replied:

- (1) Details of the theft were broadcast to all patrol vehicles at 12.36 am, following a report from a neighbour at 12.32 am. At 12.58 am, a report was received that the vehicle was involved in an accident in North Perth.
- (2) The officer who interviewed the owner says "No".
- (3) Answered by (2).
- (4) Prompt action was taken as answered in (1).
- (5) Yes.

EDUCATION: TERTIARY

Course Advertising

2216. Mr MacKINNON, to the Minister for Education:

How much has been spent by each of the following tertiary institutions on course advertising during this academic year—

- (a) Western Australian Institute of Technology;
- (b) Murdoch University;
- (c) University of Western Australia;
- (d) Churchlands College of Advanced Education;
- (e) Claremont College of Advanced Education;
- (f) Nedlands College of Advanced Education;
- (g) Mt. Lawley College of Advanced Education?

Mr P. V. JONES replied:

Advertising of courses can take many forms including course brochures, institutional handbooks, open days and talks given by school liaison officers as well as paid media advertising. The following information relates to expenditure on paid media advertising of credit courses during this academic year for each of the institutions.

- (a) \$7 800
- (b) \$3 237
- (c) Not available.
- (d) \$7 224
- (e) \$3 845
- (f) \$1 418
- (g) \$3 967.

HOSPITAL: ROYAL PERTH

Outpatients

2217. Dr TROY, to the Minister for Health:

- (1) Is it a fact that Royal Perth Hospital have issued a *pro forma* letter which begins—

"Dear

We very much regret having to advise you that we are unable to give you further attention for the ailment with which you presented yourself at the Royal Perth Hospital."

- (2) Is it fact that these letters are causing considerable distress to many people who have over many years received medical attention from Royal Perth Hospital?
- (3) Does this policy emanate from his office?
- (4) Would he have this policy reversed?

Mr YOUNG replied:

- (1) Yes; the letter is given to some patients who visit the hospital regularly for general practitioner type medical care. As the letter explains, the emphasis at the hospital must be to provide emergency care for all and to look after seriously ill patients.
- (2) The hospital has no evidence of this.
- (3) and (4) No.

ENERGY: ELECTRICITY SUPPLIES

Norseman

2218. Mr GRILL, to the Minister for Fuel and Energy:

- (1) Was it necessary for the State Energy Commission to replace or repair a pole fuse outside 31 Princep Street, Norseman, during the last fortnight?
- (2) Was it necessary to send State Energy Commission linesmen all the way from Esperance to Norseman to do the job?
- (3) What did the job cost in terms of wages for labour and material?
- (4) Would it not be far less expensive to authorise Norseman electricians to do emergency maintenance work at Norseman for the State Energy Commission?

Mr MENSAROS replied:

- (1) Yes. A fault occurred on the 2nd November which it is understood was caused by the fouling of the service mains by an overheight vehicle which travelled through the town. Notification was received at 3.50 p.m.
- (2) Yes. At the present moment there is no resident linesman based in Norseman. A linesman is currently being trained at the commission's line school and is expected to take up his duties in Norseman on completion of his training just prior to Christmas. In the meantime, linesmen based in Esperance attend to such faults.
- (3) Estimated Costs

(a) Wages	\$65.00
(b) Vehicle mileage	\$24.00
(c) Materials	<u>\$ 1.00</u>
TOTAL	<u>\$90.00</u>
- (4) The commission has considered the matter of utilising the services of local electricians but for safety reasons has adopted a policy of using only its own trained staff to operate on the commission's mains.

HOSPITAL: ST. JOHN OF GOD

Kalgoorlie

2219. Mr GRILL, to the Minister for Health:

- (1) Further to question 1974 of the 25th October, 1979, what is the present state of negotiations over the sale of the St. John of God Hospital at Kalgoorlie?
- (2) When is it now thought that the Order of the Sisters of St. John of God will vacate the hospital?
- (3) Can the Government give any guarantee that the present employed staff at the hospital will retain their jobs when the order vacates the hospital?
- (4) Has the Government made any offer to either buy or lease the hospital?
- (5) If "Yes", to (4), what was the nature of the offer?

Mr YOUNG replied:

- (1) Advice to date is that the Order of St. John of God is still negotiating the sale of its hospital premises as a nursing home.
- (2) Not known.

- (3) No; Government has no power to compel a private operator to employ specific persons.
- (4) and (5) Until the negotiations are finalised, the Government is unable to give further consideration to this matter.

EDUCATION: SCHOOLS AND HIGH SCHOOLS

Air-conditioning

2220. Mr GRILL, to the Minister for Education:

- (1) Further to question 2150 of 1979 relevant to school air-conditioning, which schools or parts of schools in the Eastern Goldfields region have been air-conditioned?
- (2) Which schools in the area is it proposed to air-condition in the future?
- (3) When is it expected that the Kambalda Primary School will be air-conditioned?

Mr P. V. JONES replied:

- (1) The following schools in the eastern goldfields region have cooling systems—
 - Boulder
 - Boulder JPS
 - Coonana
 - Cundeelee Special Aboriginal
 - East Kalgoorlie
 - Eastern Goldfields SHS
 - Kalgoorlie School of the Air
 - Kambalda SHS
 - Laverton DHS
 - Leinster
 - Leonora
 - Mt. Margaret Special Aboriginal
 - Norseman DHS
 - North Kalgoorlie
 - Rawlinna
 - South Kalgoorlie
- (2) Present policy is that all schools in the high priority zone will be air-cooled as funds and power are available. In the low priority zone major additions will be air-cooled and existing buildings treated as funds and power are available. Under this policy the new home economics centre at Norseman District High School will be air-cooled. All other schools in the zones are eligible and will have air-cooling as funds are available.
- (3) There are no immediate plans to air-cool the Kambalda Primary School.

EDUCATION: SCHOOL

Trayning

2221. Mr McPHARLIN, to the Minister for Education:

- (1) Is a library and resource centre going to be built at the Trayning primary school in the near future?
- (2) If so, when is it expected that the building will be completed?

Mr P. V. JONES replied:

- (1) Yes, it is a Parents and Citizens' Association project being built with assistance of a subsidy from the Education Department.
- (2) Approximately mid-December, 1979.

ENERGY: NUCLEAR POWER STATION

Mr Arthur Robson: Report

2222. Mr DAVIES, to the Minister for Fuel and Energy:

- (1) Has the State Government, the State Energy Commission or any other Government agency within the last several years engaged the services of a Mr Arthur Robson to report to it on matters associated with the introduction of nuclear power in Western Australia?
- (2) Will he table any report(s) made to the Government, the State Energy Commission or any other Government agency by Mr Robson?
- (3) If not, why not?

Mr MENSAROS replied:

- (1) to (3) As regards to the SEC the answer is, "No." I am advised that the commission does not know Mr Arthur Robson; neither does it have any knowledge of such gentleman's engagement in any other Government department.

HEALTH: DRUGS

Heroin: Use for Terminal Patients

2223. Mr BERTRAM, to the Minister for Health:

What progress has his department made towards making it lawful for medical practitioners to administer heroin to ease pain and help persons who are

suffering terminal cancer and other painful terminal conditions?

Mr YOUNG replied:

Departmental officers have taken part in discussions at the National Health and Medical Research Council and the National Standing Committee on Drugs of Dependence, but no conclusion has been reached by either of these organisations to date.

EDUCATION: NON-GOVERNMENT SCHOOLS

Cigarette Smoking

2224. Mr BERTRAM, to the Minister for Education:

Is it a fact that one or more private schools expel students for smoking cigarettes?

Mr P. V. JONES replied:

I have no information on this matter.

TRANSPORT: BUSES

School: Cigarette Smoking Ban

2225. Mr BERTRAM, to the Minister for Transport:

Is a cigarette smoking ban applied and enforced on MTT school buses?

Mr RUSHTON replied:

Yes.

HEALTH: TOBACCO PRODUCTS

Advertising: Prosecutions

2226. Mr BERTRAM, to the Premier:

- (1) Further to his answer to question 2126 of 1979 in which he said that no statistics are kept of prosecutions brought for the unlawful pushing of cigarettes, will he see that statistics of this kind are maintained in the future?
- (2) If "No", why?

Sir CHARLES COURT replied:

- (1) No.
- (2) Because they are of no relevant statistical value to police management.

ELECTORAL ROLLS

Joint

2227. Mr BERTRAM, to the Chief Secretary:

Further to his answer to question 2127 of 1979 relevant to electoral rolls, what evidence does he have to justify his statements—

- (a) "the implied cost savings were seen to be illusory";
- (b) "it was considered that the maintenance of State rolls could be carried out more effectively by the State Electoral Department"?

Mr O'NEIL replied:

- (a) The evidence is on the advice of the State Treasury Department.
- (b) Problems such as the loss of quick access to electoral rolls and information, the augmenting of Electoral Department staff at times of general elections and that most changes to implement the system would have to be made by the State were factors which supported separate rolls.

HOSPITAL: WANNEROO

Cost

2228. Mr JAMIESON, to the Minister representing the Minister for Works:

- (1) What was the original accepted tender price for the Wanneroo hospital?
- (2) What is now the anticipated variation of this price for this building?
- (3) What has caused this change in cost structure?

Mr O'CONNOR replied:

- (1) Tender prices—

	\$
Structural Contract	373 987
Completion Contract (building)	3 958 000
Total:	<u>\$4 331 987</u>

- (2) The estimated final cost for this project is \$4 572 481.
- (3) The normal contractual practice in regard to cost escalation, relative to the building cost index and labour, has been the reason for this anticipated change.

GOVERNMENT CONTRACTS

Western Australian Manufacturers: Preference

2229. Mr CARR, to the Minister for Industrial Development:

- (1) With reference to tenders for State Government and semi-Government contracts, what percentage preference, if any, is offered to Western Australian manufacturers in relation to tenders from outside the State?
- (2) What percentage preference, if any, is offered to country manufacturers in relation to tenderers based in the Perth metropolitan area?
- (3) Are preferences under (1) and (2) cumulative in terms of preference for Western Australian country manufacturers in relation to manufacturers located outside Western Australia?
- (4) What restrictions, if any, are imposed on the preferences for manufacturers, in terms of either total value of the contract or distance of the manufacturer from the point of supply?

Mr MENSAROS replied:

- (1) There is an up to 10 percent price preference to Western Australian manufacturers based on local manufacturing content.
- (2) Decentralised manufacturing industry may qualify for a price preference of up to 10 percent on local content value of goods required by State Government departments outside a radius of 100km of the Perth GPO.
- (3) Yes. This could entitle country manufacturers to a preference of up to 20 percent over Eastern States or overseas competitors.
- (4) No restrictions in respect of total value of the contract. Refer to (2) in respect of decentralised incentives.

WATER SUPPLIES: SALINITY

Whittington Interceptor System

2230. Mr H. D. EVANS, to the Minister representing the Minister for Works:

- (1) Does the Government propose to implement any of the recommendations and conclusions of Professor J. W.

Holmes on the Whittington Interceptor drain trial contained in his recently circulated report?

- (2) If "Yes", which ones will be implemented?
- (3) Is it intended to introduce any controls on earthworks of the Whittington Interceptor Bank type and if so how will such restrictions be applied, and when will they be introduced?

Mr O'CONNOR replied:

- (1) and (2) Professor J. W. Holmes recommended that the Batalling Creek trial be terminated and that a new trial should not be entered into. The Public Works Department is acting on this recommendation and no further field trials will be undertaken with interceptor drains to determine their effect on stream salinity. The conclusions in the report refer to the possible role of conventional deep drainage and the complex inter-action between land and stream salinity. These aspects will be given further consideration.
- (3) No.

LOCAL GOVERNMENT

Shire Clerk's Advance Account

2231. Mr CARR, to the Minister for Local Government:

Will she please specify the intentions of a shire clerk's advance account and advise of the purposes for which payments can be made from such accounts?

Mrs CRAIG replied:

Under the provisions of section 626(5)(c) of the Local Government Act a clerk or Treasurer's advance account may be applied to such uses as are directed by council resolution.

I would think that these provisions were intended to allow urgent or routine accounts to be paid without having to wait for council authorisation for each specific payment.

I add that the recent amending Bill—Local Government Act

Amendment Bill (No. 3)—which passed through this House about two weeks ago, contained a clause related partly to advance accounts. At that time, the member for Geraldton raised no query, nor did he speak on that division.

INDUSTRIAL DEVELOPMENT: INDUSTRIAL LANDS DEVELOPMENT AUTHORITY

Factory Premises

2232. Mr CARR, to the Minister for Industrial Development:

- (1) With reference to an amendment to the Industrial Lands Development Authority Act, passed in 1978, granting power to build factory premises on Industrial Lands Development Authority land, how many such premises have been built by the Industrial Lands Development Authority?
- (2) Where have such premises been built?
- (3) What is the value of premises so built?

Mr MENSAROS replied:

- (1) None as yet.
- (2) and (3) Not applicable.

QUESTIONS WITHOUT NOTICE

GOVERNMENT PRINTING OFFICE

Industrial Dispute: Printing of "Hansard"

1. Mr SHALDERS, to the Minister for Labour and Industry:

The Minister has had some notice of this question which is as follows—

- (1) Is it a fact that as a result of a decision mutually made by a Labor Minister (Mr Strickland) to restrict union meetings on Government property, the executive of the union covering members employed at the Government Printing Office recommended action which would have resulted in the censure of *Hansard*?
- (2) If so, what was the action recommended by the executive and what decision has been reached by the union members on that recommendation?

Mr O'CONNOR replied:

- (1) and (2) A decision was made some years ago by the then Labor Minister for Railways (Mr Strickland) to restrict operations as far as meetings were concerned on railway and other Government land. It was continued by this Government and was the reason for recent unrest at the Government Printing Office.

Mr Jamieson: What rights would he have on other Government land?

Mr O'CONNOR: I presume it was according to a Government decision.

Mr Jamieson: It was in connection with the flagpole meetings at Midland, and only that.

Mr O'CONNOR: I believe this particular issue has been carried on in other areas; certainly it has been carried on by this Government since that time. According to information I have, union members at the Government Printing Office voted today to continue to print *Hansard* as normal despite the union executive's request to do otherwise. This is in line with the practices which have applied in the past and in line with the Bill the Government has introduced in which union members are given a greater say in the operations of their unions. I congratulate those union members on their action.

GOVERNMENT PRINTING OFFICE

Industrial Dispute: Printing of "Hansard"

2. Mr BERTRAM, to the Minister for Labour and Industry:

Is it not a fact that the Tonkin Government removed the restriction to which the Minister referred in his last answer and which he said was imposed by Mr Strickland some years ago?

Mr O'CONNOR replied:

That is a fact; and it was reintroduced in 1975.

ABATTOIR

Esperance

3. Mr DAVIES, to the Minister for Agriculture:

- (1) Is it a fact that negotiations involving a foreign company are going on for the

establishment of an export abattoir in the Esperance region?

- (2) Is it also a fact that the State Government has guaranteed a \$2 million loan for the works, has granted land and water supplies, and is prepared to guarantee a further substantial loan to any incoming investor?
- (3) Is it further a fact that a company called Willmaine Pty. Ltd., which is associated with the abattoir negotiations, has recently entered into a financial arrangement with the WA branch of the National Country Party?

Mr OLD replied:

- (1) to (3) The Leader of the Opposition would know as much about this as I do if he has read the article in the Press. I can assure him there is no financial negotiation going on with the National Country Party. There have been negotiations to obtain substantial finance to start an abattoir in the Esperance area. The Leader of the Opposition would be well aware that these negotiations have been going on for some years.

At one stage the negotiations almost reached fruition; again, with overseas capital. I would welcome overseas capital which would provide the opportunity for an abattoir to be started and I am sure the Leader of the Opposition feels the same.

As far as the Government guarantee is concerned, I cannot answer off the top of my head just exactly what are the terms involved. I think they involve the necessity for the local company of Esperance Meat Exporters to be involved in the company before the Government guarantee would be considered.

If in fact this overseas investment does receive approval and the company is able to invest in an abattoir at Esperance, it would be doubtful whether it would qualify for a Government guarantee, unless there is some local involvement.

Mr Davies: Can you correct the article in the *Western Farmer*?

Mr OLD: As the Leader of the Opposition would know, it was not my article. I have already spoken to Mr

Quartermaine who is most upset about the article and has been in touch with the newspaper.

MR C. T. MOLL

Shipment of Paintings and Possessions

4. Mr WILSON, to the Minister for Police and Traffic:

- (1) Have the police had reports that two weeks ago a consignment of valuable paintings and other personal possessions belonging to Mr Christo Moll were shipped from Fremantle to his address in the United Kingdom?
- (2) Have they also had reports that a further consignment of goods being held by Brambles Manford at Fremantle in the name of Quartermaine are also due to be shipped next week to Mr Moll's United Kingdom address?
- (3) If "Yes" to (1) and (2), what actions do the police intend taking with regard to establishing the true ownership of the goods awaiting shipment and the possibility of their seizure in the interests of Mr Moll's many creditors in Western Australia?
- (4) If the Minister is not aware of these reports, will he agree to have the appropriate investigations made so that any necessary action may be taken promptly?

Mr O'NEIL replied:

- (1) to (4) I have absolutely no knowledge of the matters raised by the member for Dianella. Had I had some advice, perhaps I could have had inquiries made. In answer to several questions asked in the Chamber I have indicated that the WA Police Force is keeping a watching brief on the inquiries, which are being conducted mainly at the Commonwealth level, to ensure that if there is any breach of State law the police can act appropriately. I have nothing further to add as I have no further knowledge of this matter.

**STATE ENERGY COMMISSION
BILL**

Clauses 49, 51, and 52

5. Mr SKIDMORE, to the Minister for Local Government:

- (1) In view of the fact that clauses 49 (e), 51, and 52 (1) and (2) of the State Energy Commission Bill impinge upon the possibility that local authorities will be forced into a position of expenditures far in excess of possibly what they have budgeted for, did she or her departmental officers make approaches to the shires indicating the effects of these clauses on them?
- (2) If she did, would she indicate whether the shires within the Swan electorate were so advised?

Mrs CRAIG replied:

- (1) and (2) In relation to the last question the answer is, "No. I did not advise individual shires." I have had discussions with the Minister for Fuel and Energy in relation to these matters and I have myself been approached by only one council. It was not a direct approach; it was an approach from the Commissioner of Town Planning who drew my attention to certain problems in the area. Since receiving his letter I have had discussions with the Minister for Fuel and Energy.

**STATE ENERGY COMMISSION
BILL**

Clauses 49, 51, and 52

6. Mr SKIDMORE, to the Minister for Local Government:

I have a supplementary question for the Minister as she did not answer my previous question at all. My question was: Did she make an approach to the officers of the Department of Local Government to have them inform the shires of what was contained in those clauses I mentioned, because of the effect they would have on local government?

Mrs CRAIG replied:

The simple answer is "No." I have not asked the Department of Local Government to point out to local

authorities what they ought to be aware of in some provisions of the Bill.

MINISTER FOR EDUCATION

Visit to Upper West Province

7. Mr COWAN, to the Minister for Education:

- (1) Was the Minister in the Upper West Province on Wednesday, the 14th November?
- (2) What places were visited and if the purpose of his visit was official business relating to any of his portfolios, why was not one of the members for Upper West Province (the Hon. T. McNeil, MLC) advised?
- (3) Will the Minister give that member an assurance that any similar breaches of etiquette do not occur again?

Mr P. V. JONES replied:

- (1) to (3) I was assured by my office that he was advised. I specifically asked prior to going there, just as I do now every time I plan to visit an area. I am able to produce a duplicate of the letter sent by my office.

STATE ENERGY COMMISSION BILL

Clauses 49, 51, and 52

8. Mr SKIDMORE, to the Minister for Local Government:

Will she take the action I have suggested and contact her departmental officers so they might inform shires of the effects these clauses may have on their funds?

Mrs CRAIG replied:

The member may care to indicate to me the areas of his concern. When he has done so I will hand that information to my department which will assess it and if there is a need I most certainly will make the local authorities aware of the matters he has raised.

HEALTH

Down's Syndrome

9. Mr WILSON, to the Minister for Health:

- (1) What action has been taken regarding the evidence of the Coroner's inquest into the death of the Down's syndrome

child at Princess Margaret Hospital in January this year, which is reported in today's issue of the *Daily News*?

- (2) What is the policy of the Government and of the hospital regarding intensive care treatment and resuscitation for Down's syndrome children?

Mr YOUNG replied:

- (1) and (2) I understand the papers have been referred to the Crown Law Department for consideration of the entire matter. The policy in respect of any person, child, or adult regardless of the nature of the illness, is exactly the same in regard to intensive care. I would imagine that that would be the policy in any hospital and in any medical profession. A person is entitled to full medical care.

INDUSTRIAL DEVELOPMENT

Foundries: Closure

10. Mr DAVIES, to the Minister for Industrial Development:

- (1) Is the Minister aware that during the last eight years, 10 Western Australian foundries have been forced to close as a result of unfair competition from the Eastern States? The companies are: Scandia Foundry, Saunders & Stuart, Fremantle Foundry, Vickers Hoskins, Stirling Brass, Webster & Lumsden, Galloways Foundry, Westralian Foundry, Bradford & Kendall Port Hedland, and Geraldton Foundry.
- (2) Is he aware that during the last three weeks Dobbie Dico Meter Company has had to retrench tradesmen moulders because the Metropolitan Water Board has contracted to have castings supplied from eastern Australia?
- (3) If so, has he been able to take any positive action to help the foundry industry in this State?

Mr MENSAROS replied:

- (1) to (3) Yes, I am aware that some foundries did close, not only recently but also over quite a considerable number of years. I am aware also that some new foundries have been installed or are being installed. I am advised that Chamberlain John Deere Pty. Ltd. is planning to install two entirely new arc furnaces extending their foundry operation.

Of course it is inevitable, taking the small population of Western Australia into account, that the supply shifts from one place to the other. As far as Dobbie Dico Meter Company is concerned Government orders are under fairly strict scrutiny. When they are above the amount which necessitates the Governor-in-Executive-Council to approve them, orders outside Western Australia are placed only when the price difference is larger than the local preference percentage.

If this case is the same I recall officers of my department probably visited the company and I myself have visited Dobbie Dico Meter Company to see and encourage that it is within the area of competition.

STATE FINANCE: BUDGET

Salary and Wage Adjustments

11. Mr BERTRAM, to the Treasurer:

When discussing Part I of the Estimates, I raised a query concerning a provision for salary and wage adjustments which occurs throughout the Estimates. I understand the Treasurer intimated he would supply me with information on that particular matter, and my question is simply: Is he able to do that now?

Sir CHARLES COURT replied:

I brought the information yesterday for the honourable member but I just do not seem to have it with me at the moment. If I remember correctly the query referred to the allowance made for salaries.

Mr Bertram: Adjustments.

Sir CHARLES COURT: That adjustment item is a matter of making an allowance for potential increases and is done in a number of ways. Firstly, when the figures are put in the column headed, "1979-80 Estimates" it allows for

anticipated reclassifications which will take place in that particular department. So those increases are estimated in conjunction with the Public Service Board and are built into the several figures shown so as to minimise the amount to be shown in a special item.

Secondly, when the figures are being finally sealed off, the Treasury lists all the known adjustments that are to be made. For instance, it could be that close to the end of the time that one is to close off the budget the national wage case has been determined. One can go back and project that into the figures. Again this is done to minimise the amount that is put into a special allowance figure.

The special allowance figure, therefore, is only to reflect the cost of items such as further national wage case decisions and any award increases for the appropriate part of the year. For instance, it could be that one is allowing for something that will be made towards the latter part of the year and would have effect only for three or four months—something less than a year. Therefore, to equate that as a percentage against the salary figure of a particular section or division of the Estimates would be quite wrong.

It should be borne in mind that this type of increase is already partly reflected in the annual estimate for 1979-80 with all the known and projected increases such as classifications that might be expected or are already made at the time of the sealing-off of the Budget—thus minimising the number of items and amounts to be allowed for in a special figure. That is why the percentage is less than the honourable member may have expected. I have taken the precaution of double checking the matter with the Treasury to make sure my understanding is correct and its officers assure me it is correct. There is as adequate cover as is humanly possible to project all the increases which could be reasonably expected for the year 1979-80.

Mr Davies: One would need to be Einstein to understand that.